



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 24, 2012

HF2374	2
HF2375	7
HF2376	15
HF2377	19
HJR2009	27
HSB661	29



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 24, 2012

House File 2374 - Introduced

HOUSE FILE 2374
BY COMMITTEE ON TRANSPORTATION

(SUCCESSOR TO HSB 654)

(COMPANION TO LSB 6062SV BY
COMMITTEE ON TRANSPORTATION)

A BILL FOR

1 An Act relating to motorcycle dealer activities at motorcycle
2 rallies and to the definition of travel trailer for purposes
3 of travel trailer dealer requirements.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLNB 6062HV (1) 84
dea/nh



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 24, 2012

H.F. 2374

1 Section 1. Section 322.2, Code 2011, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 11A. "*Motorcycle*" means as defined in
4 section 321.1. "*Motorcycle*" does not include an all-terrain
5 vehicle as defined in section 321.1.

6 Sec. 2. Section 322.4, subsection 1, paragraph g, Code 2011,
7 is amended to read as follows:

8 *g.* Before the issuance of a motor vehicle dealer's license
9 to a dealer engaged in the sale of vehicles for which a
10 certificate of title is required under chapter 321, or the
11 issuance of a temporary permit under section 322.5, subsection
12 6, paragraph "b", the applicant shall furnish a surety bond
13 executed by the applicant as principal and executed by a
14 corporate surety company, licensed and qualified to do business
15 within this state, which bond shall run to the state of Iowa,
16 be in the amount of fifty thousand dollars and be conditioned
17 upon the faithful compliance by the applicant as a dealer with
18 all of the statutes of this state regulating or applicable to
19 the business of a dealer in motor vehicles, and indemnifying
20 any person who buys a motor vehicle from the dealer from any
21 loss or damage occasioned by the failure of the dealer to
22 comply with any of the provisions of chapter 321 and this
23 chapter, including but not limited to the furnishing of a
24 proper and valid certificate of title to the motor vehicle
25 involved in a transaction. The bond shall also indemnify any
26 motor vehicle purchaser from any loss or damage caused by the
27 failure of the dealer to comply with the odometer requirements
28 in section 321.71, regardless of whether the motor vehicle was
29 purchased directly from the dealer. The bond shall be filed
30 with the department prior to the issuance of a license or
31 permit. The aggregate liability of the surety, however, shall
32 not exceed the amount of the bond.

33 Sec. 3. Section 322.5, Code 2011, is amended by adding the
34 following new subsection:

35 NEW SUBSECTION. 6. *a.* Upon application for and receipt

LSB 6062HV (1) 84

-1-

dea/nh

1/4



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 24, 2012

H.F. 2374

1 of a temporary permit issued by the department under this
2 subsection, a motor vehicle dealer authorized to sell used
3 motorcycles may display, offer for sale, and negotiate sales of
4 used motorcycles at a motorcycle rally located in this state
5 that meets all of the following conditions:

6 (1) The sponsor of the rally conducts not more than one
7 rally annually in this state.

8 (2) The rally is conducted for a single period of not less
9 than three and not more than seven consecutive days.

10 (3) Attendance at the rally is restricted to persons who
11 have paid a nonrefundable admission fee to the sponsor of the
12 rally.

13 b. A person licensed as a motor vehicle dealer in another
14 state may apply for and be issued a temporary permit under this
15 subsection if the person meets all of the following conditions:

16 (1) The person presents the department with a current motor
17 vehicle dealer license valid for the sale of used motorcycles
18 at retail in the person's state of residence.

19 (2) The state in which the person is licensed as a motor
20 vehicle dealer allows a motor vehicle dealer licensed in Iowa
21 to be issued a permit substantially similar to the temporary
22 permit authorized under this section.

23 (3) The person furnishes to the department a surety bond
24 that meets the requirements of section 322.4, subsection 1,
25 paragraph "g".

26 (4) The person presents any additional information the
27 department may require.

28 c. Application for a temporary permit under this subsection
29 shall be made on forms provided by the department accompanied
30 by a fee established by the department by rule.

31 d. A sale of a motorcycle at a motorcycle rally shall not be
32 completed and an agreement for the sale of a motorcycle shall
33 not be signed at a motorcycle rally. All such sales shall be
34 consummated at the motor vehicle dealer's principal place of
35 business.



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 24, 2012

H.F. 2374

1 e. The department may issue a temporary permit under this
2 subsection for a period not to exceed seven consecutive days.
3 A motor vehicle dealer may not receive more than one temporary
4 permit issued under this subsection in a calendar year.
5 Sec. 4. Section 322C.2, subsection 10, Code 2011, is amended
6 to read as follows:
7 10. "*Travel trailer*" means a vehicle without motive power
8 used or so manufactured or constructed as to permit its being
9 used as a conveyance upon the public streets and highways and
10 designed to permit the vehicle to be used as a place of human
11 habitation by one or more persons. The vehicle may be up to
12 eight feet six inches in width and its overall length shall not
13 exceed forty feet. "Travel trailer" does not include a vehicle
14 that is so designed as to permit it to be towed exclusively by
15 a motorcycle.

16 EXPLANATION

17 This bill provides for the display of used motorcycles
18 offered for sale at motorcycle rallies, provided the sponsor of
19 the rally holds no more than one rally per year in this state,
20 the rally is conducted for not less than three and not more
21 than seven days, and attendance at the rally is restricted to
22 persons paying a nonrefundable admission fee.

23 Under the bill, a person licensed as a motor vehicle dealer
24 and authorized to sell used motorcycles may apply to the
25 department of transportation for a temporary permit to display,
26 offer for sale, and negotiate sales of used motorcycles at a
27 rally. The fee for the permit is to be established by the
28 department by rule. A temporary permit may be issued for a
29 period of not more than seven days, and a motor vehicle dealer
30 may not be issued more than one such permit in a calendar year.

31 A person licensed as a motor vehicle dealer in another
32 state may be issued a temporary permit to display, offer for
33 sale, and negotiate sales of used motorcycles at a rally in
34 this state if the dealer presents to the department a current
35 license valid for the sale of used motorcycles at retail in

LSB 6062HV (1) 84
dea/nh



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 24, 2012

H.F. 2374

1 the person's state of residence, provided that the dealer's
2 home state extends similar privileges to a dealer licensed in
3 this state. A dealer from another state must furnish a surety
4 bond that meets current requirements for motor vehicle dealer
5 licensing.

6 A temporary permit issued under the bill does not allow
7 a dealer to complete the sale of a used motorcycle at a
8 motorcycle rally. The bill specifies that the sale shall not
9 be completed and a sales agreement shall not be signed at the
10 rally. The sale must be consummated at the motor vehicle
11 dealer's principal place of business.

12 The bill amends the definition of "travel trailer" for
13 purposes of Code chapter 322C to exclude vehicles designed to
14 be towed exclusively by a motorcycle. As a result, sales of
15 motorcycle trailers are exempt from the travel trailer dealer
16 licensing requirements and from a specific provision in Code
17 section 322C.12 relating to finance charges under a travel
18 trailer retail installment contract.



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 24, 2012

House File 2375 - Introduced

HOUSE FILE 2375
BY COMMITTEE ON COMMERCE

(SUCCESSOR TO HSB 558)

A BILL FOR

1 An Act specifying procedures applicable to claims asserting
2 stray electric current or voltage.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 5428HV (4) 84
rn/nh



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 24, 2012

H.F. 2375

1 Section 1. NEW SECTION. 476D.1 Short title.
2 This chapter shall be known and may be cited as the "*Stray*
3 *Current and Voltage Remediation Act*".
4 Sec. 2. NEW SECTION. 476D.2 Definitions.
5 As used in this chapter, unless the context otherwise
6 requires:
7 1. "*Board*" means the utilities board within the utilities
8 division of the department of commerce.
9 2. "*Cow contact points*" means any two electrically
10 conductive points which a dairy cow may, in its normal
11 environment, unavoidably and simultaneously contact.
12 3. "*Dairy producer*" means any person or entity that owns or
13 operates a dairy farm or that owns cows that do or are intended
14 to produce milk.
15 4. "*Preventive action level*" is stray current or voltage
16 constituting either of the following:
17 a. A steady-state, root mean square alternating current
18 of two milliamp or more through a five hundred ohm resistor
19 connected between cow contact points, as measured by a true
20 root mean square meter.
21 b. A steady-state, root mean square alternating current
22 voltage of one volt or more, across or in parallel with a five
23 hundred ohm resistor connected between cow contact points, as
24 measured by a true root mean square meter.
25 5. "*Steady-state*" means the value of a current or voltage
26 after an amount of time where all transients have decayed to a
27 negligible value.
28 6. "*Stray current or voltage*" means either of the following:
29 a. Any steady-state, sixty hertz, including harmonics
30 thereof, root mean square alternating current of less than
31 twenty milliamp through a five hundred ohm resistor connected
32 between cow contact points, as measured by a true root mean
33 square meter.
34 b. Any steady-state, sixty hertz, including harmonics
35 thereof, root mean square alternating current voltage of less

LSB 5428HV (4) 84
rn/nh

-1-

1/7



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 24, 2012

H.F. 2375

1 than ten volts, across or in parallel with a five hundred ohm
2 resistor connected between cow contact points, as measured by
3 a true root mean square meter.

4 7. *Utility* means a public utility as defined in Code
5 section 476.1, or for purposes of this chapter, any other
6 person owning or operating more than one thousand five hundred
7 miles of transmission lines and associated facilities in this
8 state.

9 Sec. 3. NEW SECTION. 476D.3 Rules — scope of authority.

10 1. The board shall by rule establish standard procedures
11 and protocols which may be used for the measurement of stray
12 current or voltage. The board shall review the rules from time
13 to time, or upon petition to the board, to ensure that the
14 standard procedures and protocols continue to be scientifically
15 and technologically accurate and a reliable means of detecting
16 stray current or voltage. Other measurements of stray current
17 or voltage made using other procedures and protocols may be
18 considered by the board in appropriate cases.

19 2. The purpose for the standard procedures and protocols
20 established by rule pursuant to subsection 1 shall be
21 for utilization by a utility in taking measurements of
22 stray current or voltage, and by the board in preparing a
23 determination of source document that may be utilized by either
24 a dairy producer or a utility as evidence of the source and
25 level, if any, of stray current or voltage. The determination
26 of source document shall be based on qualified, measurable,
27 scientific facts. Neither the board, nor the determination of
28 source document, shall establish liability or civil damages in
29 connection with a civil lawsuit.

30 Sec. 4. NEW SECTION. 476D.4 Stray current or voltage
31 program — claims — notice — utility response.

32 1. A dairy producer in this state that claims that its
33 dairy cows are being affected by stray current or voltage may
34 participate in the stray voltage program. The dairy producer
35 shall provide written notice to the utility and may provide

LSB 5428HV (4) 84
rn/nh

2/7



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 24, 2012

H.F. 2375

1 notice to the board to participate in the program. The notice
2 shall include a nonbinding statement as to why the dairy
3 producer claims its dairy cows are being affected by electrical
4 energy attributable to the utility.

5 2. a. Within fourteen business days after receipt of a
6 notice alleging stray current or voltage by a utility pursuant
7 to subsection 1, the utility shall take or arrange for the
8 taking of measurements to identify the existence and magnitude
9 of the stray current or voltage, if any. A dairy producer
10 providing notice of the claim shall permit entry onto the
11 dairy farm at dates and times mutually agreed upon by the
12 dairy producer and the utility. The utility shall perform no
13 other service or inspection on the dairy farm beyond taking
14 measurements of stray current or voltage, except the utility
15 may advise the dairy producer as to recommended on-farm
16 remedial action and may perform such remedial action with
17 the permission of the dairy producer. The utility or its
18 representative shall abide by the dairy farm's biosecurity
19 protocols or, if none, generally accepted biosecurity protocols
20 in the industry, prior to entry onto the dairy farm. The
21 utility shall be provided advance notice of any biosecurity
22 protocols adopted by the dairy producer.

23 b. A dairy producer may include with the notice provided
24 pursuant to subsection 1, or in a subsequent notice, a written
25 request for the board to take or arrange for the taking of
26 separate and independent measurements to identify the existence
27 and magnitude of stray current or voltage, if any. Such a
28 request may also be made by the utility. Measurements by the
29 board shall be taken by a representative of the board directly,
30 or by a neutral third-party expert selected by the board for
31 such purposes. The board or a selected third-party expert
32 shall perform no other service or inspection on the dairy farm
33 beyond taking measurements of stray current or voltage, except
34 the board or third-party expert may advise the dairy producer
35 as to recommended on-farm remedial action. The board or the

LSB 5428HV (4) 84

rn/nh

3/7



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 24, 2012

H.F. 2375

1 third-party expert shall abide by the dairy farm's biosecurity
2 protocols or, if none, by generally accepted biosecurity
3 protocols in the industry, prior to entry onto the dairy farm.
4 The board shall subsequently prepare or cause to be prepared
5 the determination of source document as described in section
6 476D.3 which shall be made available to both the dairy producer
7 and the utility.

8 3. If the utility or the board's measurements identify
9 a level of stray current or voltage at cow contact points
10 in excess of the preventive action level, the utility or the
11 board, as applicable, shall promptly identify if the utility's
12 distribution system's contribution is greater than one milliamp
13 or one volt, measured in the same manner as the preventive
14 action level. For purposes of this determination, stray
15 current or voltage on the utility's distribution system shall
16 be attributed to the utility even if caused by other customers
17 connected to the utility's distribution system. If that
18 portion of the stray current or voltage at cow contact points
19 attributable to the utility's distribution system exceeds
20 one milliamp or one volt, the utility shall, within fifteen
21 business days, commence and diligently pursue to completion,
22 remedial procedures which result in, and are reasonably likely
23 to sustain, a reduction of the stray current or voltage at
24 cow contact points attributable to the utility's distribution
25 system to one milliamp or less or one volt or less, measured in
26 accordance with the rules established by the board.

27 Sec. 5. NEW SECTION. 476D.5 Civil actions.

28 A civil action shall not be commenced by a dairy producer
29 against a utility seeking damages or other relief allegedly due
30 to injury caused by stray current or voltage unless the dairy
31 producer has provided notice of its participation in the stray
32 current or voltage program in accordance with section 476D.4
33 at least ninety days prior to filing such an action. In any
34 civil action against a utility for damages or other relief, the
35 written documentation prepared by or on behalf of the board

LSB 5428HV (4) 84

rn/nh

4/7



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 24, 2012

H.F. 2375

1 pursuant to section 476D.4 may be admissible in evidence. Any
2 and all civil damages shall be determined by a court of law,
3 and shall be based on evidence provided by both parties.

4 EXPLANATION

5 This bill specifies procedures applicable to claims
6 asserting stray electric current or voltage impacting dairy
7 cows.

8 The bill provides for the adoption of administrative rules
9 by the Iowa utilities board establishing standard procedures
10 and protocols for the measurement of stray current or voltage.
11 The bill directs the board to review the rules periodically
12 to ensure that they remain accurate and reliable with regard
13 to stray current or voltage measurement, and provides that
14 other forms of measurement may be considered by the board in
15 appropriate cases. The bill states that the purpose for the
16 standard procedures and protocols shall be for utilization by a
17 utility in taking measurements of stray current or voltage, and
18 by the board in preparing a determination of source document
19 that may be utilized by either a dairy producer or a utility as
20 evidence of the source and level, if any, of stray current or
21 voltage. The bill provides that the determination of source
22 document shall be based on qualified, measureable, scientific
23 facts, and that neither the board, nor the document, shall
24 establish liability or civil damages in connection with a civil
25 lawsuit.

26 The bill provides that a dairy producer in Iowa who claims
27 that its dairy cows are being affected by stray current or
28 voltage may participate in a stray voltage program by providing
29 written notice to the utility and, optionally, to the board
30 containing a nonbinding statement as to why the dairy producer
31 believes its dairy cows are being affected by electrical energy
32 attributable to the utility.

33 Within 14 business days after receipt of the notice, the
34 bill requires the utility to take or arrange for the taking
35 of measurements to identify the existence and magnitude of



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 24, 2012

H.F. 2375

1 the stray current or voltage, if any. The bill prohibits the
2 utility from performing any other service or inspection on the
3 dairy farm beyond taking the measurements other than advising
4 the dairy producer as to recommended on-farm remedial action
5 and performing such remedial action with permission. The bill
6 provides that the utility or its representative shall abide by
7 the dairy farm's biosecurity protocols, or if none, generally
8 accepted biosecurity protocols in the industry prior to entry
9 onto the dairy farm, and requires the dairy producer to provide
10 advance notice of any biosecurity protocols they have adopted
11 to the utility.

12 The bill provides that a dairy producer, or a utility,
13 may request that the board take or arrange for the taking
14 of separate and independent measurements to identify the
15 existence and magnitude of stray current or voltage, if
16 any, either directly or by a neutral third-party expert
17 selected by the board for such purposes. The bill applies
18 the same restrictions regarding performing no other service
19 or inspection and abiding by biosecurity protocols as are
20 applicable to measurements taken by the utility. After
21 measurements are taken by or on behalf of the board, the board
22 must prepare or cause to be prepared the determination of
23 source document and make the document available to both the
24 dairy producer and the utility.

25 The bill states that if the utility or the board's
26 measurements identify a level of stray current or voltage at
27 cow contact points in excess of the preventive action level, as
28 defined in the bill, the utility or the board, as applicable,
29 shall promptly identify if the utility's distribution system's
30 contribution is greater than one milliamp or one volt. For
31 purposes of this determination, the bill provides that stray
32 current or voltage on the utility's distribution system shall
33 be attributed to the utility even if caused by other customers
34 connected to the utility's distribution system. If that
35 portion of the stray current or voltage at cow contact points

LSB 5428HV (4) 84
rn/nh



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 24, 2012

H.F. 2375

1 attributable to the utility's distribution system exceeds one
2 milliamp or one volt, the bill directs the utility to within
3 15 business days commence and diligently pursue to completion
4 remedial procedures which result in, and are reasonably likely
5 to sustain, a reduction of the stray current or voltage to one
6 milliamp or less or one volt or less, measured in accordance
7 with the rules established by the board.

8 The bill provides that a civil action shall not be commenced
9 by a dairy producer against a utility seeking damages or other
10 relief allegedly due to injury caused by stray current or
11 voltage unless the dairy producer has provided notice of its
12 participation in the stray current or voltage program at least
13 90 days prior to filing the action. The bill states that in
14 such an action the written documentation prepared by or on
15 behalf of the board may be admissible in evidence, but that any
16 and all civil damages shall be determined by a court of law
17 based on evidence provided by both parties.



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 24, 2012

House File 2376 - Introduced

HOUSE FILE 2376
BY HALL and MURPHY

A BILL FOR

1 An Act relating to civil penalties imposed by cities under an
2 automated traffic law enforcement program and providing for
3 the adoption of a uniform process for appeals.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 5759HH (6) 84
dea/nh



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 24, 2012

H.F. 2376

1 Section 1. Section 364.22, Code 2011, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 16. *a.* A civil penalty imposed for a
4 motor vehicle violation under a city's automated traffic law
5 enforcement program shall not exceed the following amounts:

6 (1) For failure to obey an official traffic control signal,
7 an amount which is twenty-five dollars less than the amount
8 of the fine established in section 805.8A for an equivalent
9 violation charged as a scheduled violation.

10 (2) For a speeding violation, the amount of the fine
11 established in section 805.8A for an equivalent speeding
12 violation charged as a scheduled violation.

13 *b.* A city shall not charge the owner of a motor vehicle
14 administrative fees in addition to any civil penalty imposed
15 for a violation charged under the city's automated traffic law
16 enforcement program.

17 *c.* (1) Notwithstanding section 364.22B or any other
18 provision to the contrary, a city shall not contract with a
19 private collection designee for collection of a delinquent
20 fine imposed for a motor vehicle violation under a city's
21 automated traffic law enforcement program sooner than six
22 months after the initial mailing of the notice of the fine
23 to the owner of the motor vehicle involved in the violation.
24 Not less than thirty days prior to contracting with a private
25 collection designee, the city shall send the person responsible
26 for the fine at least one notice reminding the person of the
27 delinquent debt and of the city's intended action with regard
28 to collection of the debt.

29 (2) A city shall not contract with a private collection
30 designee for collection of a delinquent fine imposed for a
31 motor vehicle violation under a city's automated traffic law
32 enforcement program at any time while the owner of the motor
33 vehicle is pursuing an appeal of the fine in accordance with
34 the appeals process established by the city by ordinance.

35 *d.* For purposes of this subsection:

LSB 5759HH (6) 84
dea/nh

-1-

1/3



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 24, 2012

H.F. 2376

1 (1) *"Automated traffic law enforcement program"* means the
2 utilization of one or more automated traffic law enforcement
3 systems to issue citations for civil violations of traffic
4 laws.

5 (2) *"Automated traffic law enforcement system"* means a
6 device with one or more sensors working in conjunction with an
7 official traffic control signal or a speed measuring device to
8 produce recorded images of vehicles being operated in violation
9 of traffic or speed laws.

10 Sec. 2. UNIFORM APPEALS PROCESS FOR AUTOMATED TRAFFIC LAW
11 ENFORCEMENT PROGRAMS. The department of transportation shall
12 coordinate a committee composed of representatives selected by
13 each city in Iowa with an automated traffic law enforcement
14 program and representatives of any other Iowa cities desiring
15 to participate. The purpose of the committee shall be to
16 design a structured and uniform process for appealing civil
17 penalties imposed under automated traffic law enforcement
18 programs in cities throughout the state. The department shall
19 make a written report to the general assembly on or before
20 December 31, 2013, describing the process agreed to by the
21 committee.

22 EXPLANATION

23 This bill establishes requirements for the imposition of
24 civil penalties by cities under an automated traffic law
25 enforcement program.

26 The bill provides that the amount of a civil fine for
27 failure to obey an official traffic control signal detected
28 by an automated traffic law enforcement system may not exceed
29 an amount which is \$25 less than the amount of the scheduled
30 fine established under Iowa law for an equivalent violation.
31 Currently, the scheduled fine for violation of a traffic signal
32 is \$100. The bill provides that the amount of a civil fine
33 for a speeding violation detected by an automated traffic law
34 enforcement system may not exceed the amount of the scheduled
35 fine established under Iowa law for an equivalent violation.

LSB 5759HH (6) 84

-2-

dea/nh

2/3



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 24, 2012

H.F. 2376

1 Currently, scheduled fines established for speeding violations
2 range from \$20 for speed not more than five miles per hour over
3 the speed limit to \$100 plus \$5 for speed over 20 miles per hour
4 over the speed limit. Higher fines apply in road work zones.

5 The bill prohibits a city from charging administrative
6 fees in addition to a civil penalty imposed under the city's
7 automated traffic law enforcement program.

8 The bill imposes restrictions on the use of a collection
9 agency to collect delinquent fines for violations detected by
10 an automated traffic law enforcement system. A city must wait
11 six months after mailing the initial notice of the fine to the
12 owner of the motor vehicle before contracting with a private
13 collection designee for collection of the delinquent fine. In
14 addition, the city must send at least one reminder notice to
15 the owner of the motor vehicle not less than 30 days prior to
16 contracting for collection of the delinquent fine. A city may
17 not contract for collection of a fine at any time while the
18 owner of the motor vehicle is pursuing an appeal of the fine
19 in accordance with the appeals process established by city
20 ordinance.

21 The bill requires the department of transportation to
22 coordinate a committee to design a structured and uniform
23 process for appealing civil penalties imposed under automated
24 traffic law enforcement programs in cities throughout the
25 state. Each city in Iowa with an automated traffic law
26 enforcement program shall be represented on the committee along
27 with representatives of any other Iowa cities desiring to
28 participate. The department is required to submit a written
29 report to the general assembly by December 31, 2013, describing
30 the process agreed to by the committee.



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 24, 2012

House File 2377 - Introduced

HOUSE FILE 2377

BY HALL, MURPHY, KOESTER,
STECKMAN, BYRNES,
WITTNEBEN, ABDUL-SAMAD,
HANSON, THOMAS, KELLEY, and
JACOBY

A BILL FOR

1 An Act relating to property taxation by providing a property
2 assessment adjustment for certain persons, applying income
3 and age limitations, providing a penalty, modifying the time
4 period for property tax assessment protests, and including
5 retroactive and other applicability provisions.
6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 5757HH (5) 84
md/sc



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 24, 2012

H.F. 2377

1 DIVISION I
2 HOMESTEAD ASSESSED VALUE ADJUSTMENT
3 Section 1. NEW SECTION. 425B.1 Homestead assessed value
4 adjustment — purpose.
5 Persons who own their homesteads and who meet the
6 qualifications provided in this chapter are eligible for an
7 adjustment in the assessed value of their homesteads, as
8 provided in this chapter, to prevent an increase in such
9 values.
10 Sec. 2. NEW SECTION. 425B.2 Definitions.
11 As used in this chapter, unless the context otherwise
12 requires:
13 1. "*Assessed value*" means the actual value prior to any
14 adjustment pursuant to section 441.21, subsection 4.
15 2. "*Base assessment year*" means the assessment year
16 beginning in the base year.
17 3. "*Base year*" means the calendar year last ending before
18 the claim is filed.
19 4. "*Claimant*" means a person filing a claim for adjustment
20 under this chapter who has attained the age of sixty-five years
21 on or before December 31 of the base year and is domiciled in
22 this state at the time the claim is filed or at the time of the
23 person's death in the case of a claim filed by the executor or
24 administrator of the claimant's estate.
25 5. "*Homestead*" means the dwelling owned and actually used
26 as a home by the claimant during any part of the fiscal year
27 beginning July 1 of the base year and so much of the land
28 surrounding it, including one or more contiguous lots or tracts
29 of land, as is reasonably necessary for use of the dwelling
30 as a home, and may consist of a part of a multidwelling or
31 multipurpose building and a part of the land upon which it is
32 built. It does not include personal property except that a
33 manufactured or mobile home may be a homestead. Any dwelling
34 or a part of a multidwelling or multipurpose building which is
35 exempt from taxation does not qualify as a homestead under this



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 24, 2012

H.F. 2377

1 chapter. A homestead must be located in this state. When a
2 person is confined in a nursing home, extended-care facility,
3 or hospital, the person shall be considered as occupying or
4 living in the person's homestead if the person is the owner
5 of the homestead and the person maintains the homestead and
6 does not lease, rent, or otherwise receive profits from other
7 persons for the use of the homestead.

8 6. "Household", "household income", and "income" mean the
9 same as those terms are defined in section 425.17.

10 7. "Owned" means owned by an owner as defined in section
11 425.11.

12 Sec. 3. NEW SECTION. 425B.3 Right to file a claim.

13 The right to file a claim for an assessed value adjustment
14 under this chapter may be exercised by the claimant or on
15 behalf of a claimant by the claimant's legal guardian, spouse,
16 or attorney, or by the executor or administrator of the
17 claimant's estate. If a claimant dies after having filed a
18 claim for adjustment, the amount of any adjustment shall be
19 made as if the claimant had not died.

20 Sec. 4. NEW SECTION. 425B.4 Claim for adjustment.

21 1. Subject to the limitations provided in this chapter,
22 a claimant may annually claim an adjustment of the assessed
23 value of the claimant's homestead for the base assessment year.
24 The adjustment claim shall be filed with the county assessor
25 between January 1 and February 15 immediately following
26 the close of the base assessment year. However, in case of
27 sickness, absence, or other disability of the claimant, or
28 if in the judgment of the county assessor good cause exists,
29 the county assessor may extend the time for filing a claim for
30 adjustment through June 30 of the same calendar year.

31 2. The county assessor shall notify the department of
32 revenue by March 1 of the number of claimants receiving
33 adjustments under this chapter and the total amount of the
34 reduced assessed values for the base assessment year.

35 Sec. 5. NEW SECTION. 425B.5 Qualification and adjustment

LSB 5757HH (5) 84
md/sc

2/7



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 24, 2012

H.F. 2377

1 — maximum tax dollars levied.

2 1. If the household income qualification specified in
3 subsection 2 is met, the assessed value of the claimant's
4 homestead in the base assessment year shall be adjusted, but
5 not increased, to equal the assessed value, as such assessed
6 value may have been adjusted pursuant to this chapter, in the
7 assessment year preceding the base assessment year. If the
8 amount of property taxes levied against the adjusted assessment
9 exceed the amount of property taxes levied against the property
10 in the fiscal year for which taxes were first levied against
11 an adjusted assessment under this chapter, the treasurer shall
12 subtract the difference from the amount due.

13 2. A claimant is eligible for an adjustment to the assessed
14 value of the claimant's homestead if the claimant's household
15 income is thirty thousand dollars or less in the base year.

16 Sec. 6. NEW SECTION. 425B.6 Administration.

17 The director of revenue shall make available suitable forms
18 for claiming an assessed value adjustment with instructions
19 for claimants. Each assessor and county treasurer shall make
20 available the forms and instructions. The claim shall be in a
21 form as the director may prescribe.

22 Sec. 7. NEW SECTION. 425B.7 Proof of claim.

23 1. Every claimant shall give the department of revenue, in
24 support of the claim, reasonable proof of:

25 a. Age.

26 b. Changes of homestead.

27 c. Household membership.

28 d. Household income.

29 e. Size and nature of the property claimed as the homestead.

30 2. The director of revenue may require any additional proof
31 necessary to support a claim.

32 Sec. 8. NEW SECTION. 425B.8 Audit — denial.

33 If on the audit of a claim for adjustment under this chapter,
34 the director of revenue determines the claim is not allowable,
35 the director shall notify the claimant of the denial and the

LSB 5757HH (5) 84

md/sc

3/7



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 24, 2012

H.F. 2377

1 reasons for it. The director shall not deny a claim after
2 three years from October 31 of the year in which the claim was
3 filed. The director shall give notification to the county
4 assessor of the denial of the claim and the county assessor
5 shall instruct the county treasurer to proceed to collect the
6 tax that would have been levied on the applicable adjusted
7 assessed value in the same manner as other property taxes
8 due and payable are collected, if the property on which the
9 adjustment was granted is still owned by the claimant.

10 Sec. 9. NEW SECTION. **425B.9 Waiver of confidentiality.**

11 1. A claimant shall expressly waive any right to
12 confidentiality relating to all income tax information
13 obtainable through the department of revenue, including all
14 information covered by sections 422.20 and 422.72. This waiver
15 shall apply to information available to the county assessor who
16 shall hold the information confidential except that it may be
17 used as evidence to disallow the assessed value adjustment.

18 2. The department of revenue may release information
19 pertaining to a person's eligibility or claim for or receipt of
20 the assessed value adjustment to an employee of the department
21 of inspections and appeals in the employee's official conduct
22 of an audit or investigation.

23 Sec. 10. NEW SECTION. **425B.10 False claim — penalty.**

24 A person who makes a false affidavit for the purpose of
25 obtaining an adjustment in assessed value provided for in
26 this chapter or who knowingly receives the adjustment without
27 being legally entitled to it or makes claim for the adjustment
28 in more than one county in the state without being legally
29 entitled to it is guilty of a fraudulent practice. The claim
30 for adjustment shall be disallowed in full and property tax
31 shall be levied on the disallowed adjustment at the rate that
32 would have been levied but for the adjustment. The director of
33 revenue shall send a notice of disallowance of the claim.

34 Sec. 11. NEW SECTION. **425B.11 Statutes applicable.**

35 To the extent not otherwise contrary, the provisions of

LSB 5757HH (5) 84

md/sc

4/7



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 24, 2012

H.F. 2377

1 sections 425.30, 425.31, 425.32, and 425.37 apply to this
2 chapter.

3 Sec. 12. RETROACTIVE APPLICABILITY. This division of this
4 Act applies retroactively to January 1, 2012, for assessment
5 years beginning on or after that date and to the filing of
6 claims on or after January 1, 2013, for adjustments of assessed
7 values.

8 DIVISION II

9 PROPERTY ASSESSMENT PROTESTS

10 Sec. 13. Section 441.26, subsection 1, Code Supplement
11 2011, is amended to read as follows:

12 1. The director of revenue shall each year prescribe
13 the form of assessment roll to be used by all assessors in
14 assessing property, in this state, also the form of pages of
15 the assessor's assessment book. The assessment rolls shall
16 be in a form that will permit entering, separately, the names
17 of all persons assessed, and shall also contain a notice in
18 substantially the following form:

19 If you are not satisfied that the foregoing assessment is
20 correct, you may file a protest against such assessment with
21 the board of review on or after April 16, to and including May 5
22 16, of the year of the assessment, such protest to be confined
23 to the grounds specified in section 441.37.

24 Dated: .. day of ... (month), .. (year)

25

26 County/City Assessor.

27 Sec. 14. Section 441.37, subsection 1, paragraph a,
28 unnumbered paragraph 1, Code Supplement 2011, is amended to
29 read as follows:

30 Any property owner or aggrieved taxpayer who is dissatisfied
31 with the owner's or taxpayer's assessment may file a protest
32 against such assessment with the board of review on or after
33 April 16, to and including May 5 16, of the year of the
34 assessment. In any county which has been declared to be a
35 disaster area by proper federal authorities after March 1 and

LSB 5757HH (5) 84

md/sc

5/7



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 24, 2012

H.F. 2377

1 prior to May 20 of said year of assessment, the board of review
2 shall be authorized to remain in session until June 15 and the
3 time for filing a protest shall be extended to and include
4 the period from May 25 to June 5 of such year. Said protest
5 shall be in writing and signed by the one protesting or by the
6 protester's duly authorized agent. The taxpayer may have an
7 oral hearing thereon if request therefor in writing is made at
8 the time of filing the protest. Said protest must be confined
9 to one or more of the following grounds:

10 Sec. 15. APPLICABILITY. This division of this Act applies
11 to assessment years beginning on or after January 1, 2013.

12 EXPLANATION

13 This bill relates to property taxation by allowing
14 adjustments to certain homesteads based on age and income
15 limits and by modifying the property assessment protest time
16 period.

17 Division I of the bill provides for an adjustment in the
18 assessed value of a homestead if the owner is a person who is
19 65 or older and whose household income is \$30,000 or less.
20 If those qualifications are met, the assessed value of the
21 homestead upon which property taxes are levied in a fiscal
22 year is the same assessed value as for the previous fiscal
23 year. Assessed value is that value prior to any rollback being
24 applied.

25 Division I of the bill provides that a person who makes a
26 false affidavit for the purpose of obtaining an adjustment,
27 knowingly receives the adjustment without being legally
28 entitled to it, or makes claim for the adjustment in more than
29 one county without being legally entitled to it is guilty of a
30 fraudulent practice and is subject to a criminal penalty.

31 Division I of the bill applies retroactively to January 1,
32 2012, for assessment years beginning on or after that date and
33 applies to claims filed on or after January 1, 2013, for the
34 adjustments.

35 Current Code section 441.37 allows any property owner or

LSB 5757HH (5) 84
md/sc



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 24, 2012

H.F. 2377

1 aggrieved taxpayer who is dissatisfied with the owner's or
2 taxpayer's assessment to file a protest against such assessment
3 with the local board of review on or after April 16, to and
4 including May 5, of the year of the assessment. Division II of
5 the bill extends that period to file a protest to May 16.
6 Division II of the bill applies to assessment years
7 beginning on or after January 1, 2013.



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 24, 2012

House Joint Resolution 2009 - Introduced

HOUSE JOINT RESOLUTION 2009
BY COMMITTEE ON PUBLIC SAFETY

(SUCCESSOR TO HJR 2005)

HOUSE JOINT RESOLUTION

1 A Joint Resolution proposing an amendment to the Constitution
2 of the State of Iowa relating to an individual's right to
3 keep and bear arms.
4 BE IT RESOLVED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 5052HV (2) 84
rh/rj



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 24, 2012

H.J.R. 2009

1 Section 1. The following amendment to the Constitution of
2 the State of Iowa is proposed:
3 Article I of the Constitution of the State of Iowa is amended
4 by adding the following new section:
5 **Right to keep and bear arms.** SEC. 1A. The right of the
6 people to keep and bear arms, shall not be infringed.
7 Sec. 2. REFERRAL AND PUBLICATION. The foregoing proposed
8 amendment to the Constitution of the State of Iowa is referred
9 to the general assembly to be chosen at the next general
10 election for members of the general assembly and the secretary
11 of state is directed to cause the same to be published for
12 three consecutive months previous to the date of that election
13 as provided by law.

14 EXPLANATION

15 This joint resolution proposes an amendment to the
16 Constitution of the State of Iowa providing that the right of
17 the people to keep and bear arms shall not be infringed.
18 The joint resolution, if adopted, would be referred to the
19 next general assembly for adoption a second time before being
20 submitted to the electorate for ratification.



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 24, 2012

House Study Bill 661 - Introduced

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON
APPROPRIATIONS BILL BY
CHAIRPERSON RAECKER)

A BILL FOR

1 An Act relating to appropriations for health and human services
2 and including other related provisions and appropriations,
3 and including effective, retroactive, and applicability date
4 provisions.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 24, 2012

H.F. _____

1 DIVISION I
2 DEPARTMENT ON AGING
3 Section 1. 2011 Iowa Acts, chapter 129, section 113, is
4 amended to read as follows:
5 SEC. 113. DEPARTMENT ON AGING. There is appropriated from
6 the general fund of the state to the department on aging for
7 the fiscal year beginning July 1, 2012, and ending June 30,
8 2013, the following amount, or so much thereof as is necessary,
9 to be used for the purposes designated:
10 For aging programs for the department on aging and area
11 agencies on aging to provide citizens of Iowa who are 60 years
12 of age and older with case management for frail elders, Iowa's
13 aging and disabilities resource center, and other services
14 which may include but are not limited to adult day services,
15 respite care, chore services, information and assistance,
16 and material aid, for information and options counseling for
17 persons with disabilities who are 18 years of age or older,
18 and for salaries, support, administration, maintenance, and
19 miscellaneous purposes, and for not more than the following
20 full-time equivalent positions:
21 \$ ~~5,151,288~~
22 10,242,086
23 FTEs 35.00
24 1. Funds appropriated in this section may be used to
25 supplement federal funds under federal regulations. To
26 receive funds appropriated in this section, a local area
27 agency on aging shall match the funds with moneys from other
28 sources according to rules adopted by the department. Funds
29 appropriated in this section may be used for elderly services
30 not specifically enumerated in this section only if approved
31 by an area agency on aging for provision of the service within
32 the area.
33 2. The amount appropriated in this section includes
34 additional funding of ~~\$225,000~~ \$450,000 for delivery of
35 long-term care services to seniors with low or moderate



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 24, 2012

H.F. _____

1 incomes.

2 3. Of the funds appropriated in this section, ~~\$89,973~~
3 \$179,946 shall be transferred to the department of economic
4 development for the Iowa commission on volunteer services to be
5 used for the retired and senior volunteer program.

6 3A. Of the funds appropriated in this section, \$200,000
7 shall be used for administration of the substitute decision
8 maker Act pursuant to chapter 231E.

9 4. a. The department on aging shall establish and enforce
10 procedures relating to expenditure of state and federal funds
11 by area agencies on aging that require compliance with both
12 state and federal laws, rules, and regulations, including but
13 not limited to all of the following:

14 (1) Requiring that expenditures are incurred only for goods
15 or services received or performed prior to the end of the
16 fiscal period designated for use of the funds.

17 (2) Prohibiting prepayment for goods or services not
18 received or performed prior to the end of the fiscal period
19 designated for use of the funds.

20 (3) Prohibiting the prepayment for goods or services
21 not defined specifically by good or service, time period, or
22 recipient.

23 (4) Prohibiting the establishment of accounts from which
24 future goods or services which are not defined specifically by
25 good or service, time period, or recipient, may be purchased.

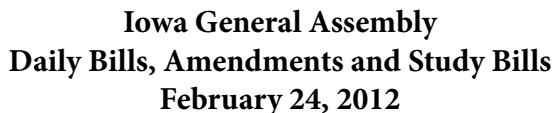
26 b. The procedures shall provide that if any funds are
27 expended in a manner that is not in compliance with the
28 procedures and applicable federal and state laws, rules, and
29 regulations, and are subsequently subject to repayment, the
30 area agency on aging expending such funds in contravention of
31 such procedures, laws, rules and regulations, not the state,
32 shall be liable for such repayment.

33 5. The amount appropriated in this section reflects a
34 reduction in expenditures for office supplies, purchases
35 of equipment, office equipment, printing and binding, and

LSB 5118YC (1) 84

pf/jp

2/65



1 marketing, that shall be applied equitably to programs under
2 the purview of the department.

DEPARTMENT OF PUBLIC HEALTH

7 SEC. 114. DEPARTMENT OF PUBLIC HEALTH. There is
8 appropriated from the general fund of the state to the
9 department of public health for the fiscal year beginning July
10 1, 2012, and ending June 30, 2013, the following amounts, or
11 so much thereof as is necessary, to be used for the purposes
12 designated:

14 For reducing the prevalence of use of tobacco, alcohol, and
15 other drugs, and treating individuals affected by addictive
16 behaviors, including gambling, and for not more than the
17 following full-time equivalent positions:

~~a. (1) Of the funds appropriated in this subsection, \$1,626,915 shall be used for the tobacco use prevention and control initiative, including efforts at the state and local levels, as provided in chapter 142A. The commission on tobacco use prevention and control established pursuant to section 142A.3 shall advise the director of public health in prioritizing funding needs and the allocation of moneys appropriated for the programs and activities of the initiative under this subparagraph (1) and shall make recommendations to the director in the development of budget requests relating to the initiative.~~

Page 32 of 94



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 24, 2012

H.F. _____

1 in accordance with 2011 Iowa Acts, ~~House File 467, as enacted~~
2 chapter 63.

3 b. Of the funds appropriated in this subsection,
4 ~~\$10,124,680~~ \$20,249,360 shall be used for problem gambling and
5 substance abuse prevention, treatment, and recovery services,
6 including a 24-hour helpline, public information resources,
7 professional training, and program evaluation.

8 (1) Of the funds allocated in this paragraph "b", ~~\$8,566,254~~
9 \$17,132,508 shall be used for substance abuse prevention and
10 treatment.

11 (a) Of the funds allocated in this subparagraph (1),
12 ~~\$449,650~~ \$899,300 shall be used for the public purpose of a
13 grant program to provide substance abuse prevention programming
14 for children.

15 (i) Of the funds allocated in this subparagraph division
16 (a), ~~\$213,769~~ \$427,539 shall be used for grant funding for
17 organizations that provide programming for children by
18 utilizing mentors. Programs approved for such grants shall be
19 certified or will be certified within six months of receiving
20 the grant award by the Iowa commission on volunteer services as
21 utilizing the standards for effective practice for mentoring
22 programs.

23 (ii) Of the funds allocated in this subparagraph division
24 (a), ~~\$213,419~~ \$426,839 shall be used for grant funding for
25 organizations that provide programming that includes youth
26 development and leadership. The programs shall also be
27 recognized as being programs that are scientifically based with
28 evidence of their effectiveness in reducing substance abuse in
29 children.

30 (iii) The department of public health shall utilize a
31 request for proposals process to implement the grant program.

32 (iv) All grant recipients shall participate in a program
33 evaluation as a requirement for receiving grant funds.

34 (v) Of the funds allocated in this subparagraph division
35 (a), up to ~~\$22,461~~ \$44,922 may be used to administer substance

LSB 5118YC (1) 84

-4-

pf/jp

4/65



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 24, 2012

H.F. _____

1 abuse prevention grants and for program evaluations.

2 (b) Of the funds allocated in this subparagraph (1),
3 ~~\$136,531~~ \$273,062 shall be used for culturally competent
4 substance abuse treatment pilot projects.

5 (i) The department shall utilize the amount allocated
6 in this subparagraph division (b) for at least three pilot
7 projects to provide culturally competent substance abuse
8 treatment in various areas of the state. Each pilot project
9 shall target a particular ethnic minority population. The
10 populations targeted shall include but are not limited to
11 African American, Asian, and Latino.

12 (ii) The pilot project requirements shall provide for
13 documentation or other means to ensure access to the cultural
14 competence approach used by a pilot project so that such
15 approach can be replicated and improved upon in successor
16 programs.

17 (2) Of the funds allocated in this paragraph "b", up
18 to ~~\$1,558,426~~ \$3,116,852 may be used for problem gambling
19 prevention, treatment, and recovery services.

20 (a) Of the funds allocated in this subparagraph (2),
21 ~~\$1,289,500~~ \$2,579,000 shall be used for problem gambling
22 prevention and treatment.

23 (b) Of the funds allocated in this subparagraph (2), up to
24 ~~\$218,926~~ \$437,852 may be used for a 24-hour helpline, public
25 information resources, professional training, and program
26 evaluation.

27 (c) Of the funds allocated in this subparagraph (2), up
28 to ~~\$50,000~~ \$100,000 may be used for the licensing of problem
29 gambling treatment programs.

30 (3) It is the intent of the general assembly that from the
31 moneys allocated in this paragraph "b", persons with a dual
32 diagnosis of substance abuse and gambling addictions shall be
33 given priority in treatment services.

34 c. Notwithstanding any provision of law to the contrary,
35 to standardize the availability, delivery, cost of delivery,



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 24, 2012

H.F. _____

1 and accountability of problem gambling and substance abuse
2 treatment services statewide, the department shall continue
3 implementation of a process to create a system for delivery
4 of treatment services in accordance with the requirements
5 specified in 2008 Iowa Acts, chapter 1187, section 3,
6 subsection 4. To ensure the system provides a continuum of
7 treatment services that best meets the needs of Iowans, the
8 problem gambling and substance abuse treatment services in any
9 area may be provided either by a single agency or by separate
10 agencies submitting a joint proposal.

11 (1) The system for delivery of substance abuse and problem
12 gambling treatment shall include problem gambling prevention.

13 (2) The system for delivery of substance abuse and problem
14 gambling treatment shall include substance abuse prevention by
15 July 1, 2014.

16 (3) Of the funds allocated in paragraph "b", the department
17 may use up to ~~\$50,000~~ \$100,000 for administrative costs to
18 continue developing and implementing the process in accordance
19 with this paragraph "c".

20 d. The requirement of section 123.53, subsection 5, is met
21 by the appropriations and allocations made in this Act for
22 purposes of substance abuse treatment and addictive disorders
23 for the fiscal year beginning July 1, 2012.

24 e. The department of public health shall work with all other
25 departments that fund substance abuse prevention and treatment
26 services and all such departments shall, to the extent
27 necessary, collectively meet the state maintenance of effort
28 requirements for expenditures for substance abuse services
29 as required under the federal substance abuse prevention and
30 treatment block grant.

31 f. The department shall amend or otherwise revise
32 departmental policies and contract provisions in order to
33 eliminate free t-shirt distribution, banner production, and
34 other unnecessary promotional expenditures.

35 g. The amount appropriated in this subsection reflects

LSB 5118YC (1) 84

-6-

pf/jp

6/65



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 24, 2012

H.F. _____

1 a reduction in expenditures for office supplies, purchases
2 of equipment, office equipment, printing and binding, and
3 marketing, that shall be applied equitably to the programs
4 under this subsection.

5 2. HEALTHY CHILDREN AND FAMILIES

6 For promoting the optimum health status for children,
7 adolescents from birth through 21 years of age, and families,
8 and for not more than the following full-time equivalent
9 positions:

10	\$	1,297,135
11		<u>2,578,559</u>
12	FTEs	10.00

13 a. Of the funds appropriated in this subsection, not
14 more than ~~\$369,659~~ \$739,318 shall be used for the healthy
15 opportunities to experience success (HOPES)-healthy families
16 Iowa (HFI) program established pursuant to section 135.106.
17 The funding shall be distributed to renew the grants that were
18 provided to the grantees that operated the program during the
19 fiscal year ending June 30, 2012.

20 b. Of the funds appropriated in this subsection, ~~\$164,942~~
21 \$329,885 shall be used to continue to address the healthy
22 mental development of children from birth through five years
23 of age through local evidence-based strategies that engage
24 both the public and private sectors in promoting healthy
25 development, prevention, and treatment for children.

26 c. Of the funds appropriated in this subsection, ~~\$15,798~~
27 \$31,597 shall be distributed to a statewide dental carrier to
28 provide funds to continue the donated dental services program
29 patterned after the projects developed by the lifeline network
30 to provide dental services to indigent elderly and disabled
31 individuals.

32 d. Of the funds appropriated in this subsection, ~~\$56,338~~
33 \$112,677 shall be used for childhood obesity prevention.

34 e. Of the funds appropriated in this subsection, ~~\$81,880~~
35 \$163,760 shall be used to provide audiological services and



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 24, 2012

H.F. _____

1 hearing aids for children. The department may enter into a
2 contract to administer this paragraph.

3 f. The amount appropriated in this subsection reflects
4 a reduction in expenditures for office supplies, purchases
5 of equipment, office equipment, printing and binding, and
6 marketing, that shall be applied equitably to the programs
7 under this subsection.

8 3. CHRONIC CONDITIONS

9 For serving individuals identified as having chronic
10 conditions or special health care needs, and for not more than
11 the following full-time equivalent positions:

12	\$	1,680,828
13		<u>3,305,620</u>
14	FTEs	4.00

15 a. Of the funds appropriated in this subsection, ~~\$80,291~~
16 \$160,582 shall be used for grants to individual patients
17 who have phenylketonuria (PKU) to assist with the costs of
18 necessary special foods.

19 b. Of the funds appropriated in this subsection, ~~\$241,800~~
20 \$483,600 is allocated for continuation of the contracts for
21 resource facilitator services in accordance with section
22 135.22B, subsection 9, and for brain injury training services
23 and recruiting of service providers to increase the capacity
24 within this state to address the needs of individuals with
25 brain injuries and such individuals' families.

26 c. Of the funds appropriated in this subsection, ~~\$249,437~~
27 \$498,874 shall be used as additional funding to leverage
28 federal funding through the federal Ryan White Care Act, Tit.
29 II, AIDS drug assistance program supplemental drug treatment
30 grants.

31 d. Of the funds appropriated in this subsection, ~~\$15,627~~
32 \$31,254 shall be used for the public purpose of providing
33 a grant to an existing national-affiliated organization to
34 provide education, client-centered programs, and client and
35 family support for people living with epilepsy and their



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 24, 2012

H.F. _____

1 families.

2 e. Of the funds appropriated in this subsection, ~~\$394,151~~
3 \$788,303 shall be used for child health specialty clinics.

4 f. Of the funds appropriated in this subsection, ~~\$248,533~~
5 \$497,065 shall be used for the comprehensive cancer control
6 program to reduce the burden of cancer in Iowa through
7 prevention, early detection, effective treatment, and ensuring
8 quality of life. Of the funds allocated in this lettered
9 paragraph, ~~\$75,000~~ \$150,000 shall be used to support a melanoma
10 research symposium, a melanoma biorepository and registry,
11 basic and translational melanoma research, and clinical trials.

12 g. Of the funds appropriated in this subsection, ~~\$63,225~~
13 \$126,450 shall be used for cervical and colon cancer screening.

14 h. Of the funds appropriated in this subsection, ~~\$264,417~~
15 \$528,834 shall be used for the center for congenital and
16 inherited disorders.

17 i. Of the funds appropriated in this subsection, ~~\$64,968~~
18 \$100,000 shall be used for the prescription drug donation
19 repository program created in chapter 135M.

20 j. The amount appropriated in this subsection reflects
21 a reduction in expenditures for office supplies, purchases
22 of equipment, office equipment, printing and binding, and
23 marketing, that shall be applied equitably to the programs
24 under this subsection.

25 4. COMMUNITY CAPACITY

26 For strengthening the health care delivery system at the
27 local level, and for not more than the following full-time
28 equivalent positions:

29	\$	2,117,583
30		<u>3,788,859</u>
31	FTEs	14.00

32 a. Of the funds appropriated in this subsection, ~~\$50,000~~
33 \$100,000 is allocated for a child vision screening program
34 implemented through the university of Iowa hospitals and
35 clinics in collaboration with early childhood Iowa areas.



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 24, 2012

H.F. _____

1 b. Of the funds appropriated in this subsection, ~~\$55,654~~
2 \$111,308 is allocated for continuation of an initiative
3 implemented at the university of Iowa and ~~\$50,246~~ \$100,493
4 is allocated for continuation of an initiative at the state
5 mental health institute at Cherokee to expand and improve the
6 workforce engaged in mental health treatment and services.
7 The initiatives shall receive input from the university of
8 Iowa, the department of human services, the department of
9 public health, and the mental health and disability services
10 commission to address the focus of the initiatives.
11 c. Of the funds appropriated in this subsection, ~~\$585,745~~
12 \$1,171,491 shall be used for essential public health services
13 that promote healthy aging throughout the lifespan, contracted
14 through a formula for local boards of health, to enhance health
15 promotion and disease prevention services.
16 d. Of the funds appropriated in this section, ~~\$60,908~~
17 \$100,000 shall be deposited in the governmental public health
18 system fund created in section 135A.8 to be used for the
19 purposes of the fund.
20 e. Of the funds appropriated in this subsection, ~~\$72,271~~
21 \$144,542 shall be used for the mental health professional
22 shortage area program implemented pursuant to section 135.80.
23 f. Of the funds appropriated in this subsection, ~~\$19,131~~
24 \$38,263 shall be used for a grant to a statewide association
25 of psychologists that is affiliated with the American
26 psychological association to be used for continuation of a
27 program to rotate intern psychologists in placements in urban
28 and rural mental health professional shortage areas, as defined
29 in section ~~135.80~~ 135.180.
30 g. Of the funds appropriated in this subsection, the
31 following amounts shall be allocated to the Iowa collaborative
32 safety net provider network established pursuant to section
33 135.153 to be used for the purposes designated. The following
34 amounts allocated under this lettered paragraph shall be
35 distributed to the specified provider and shall not be reduced

LSB 5118YC (1) 84

-10-

pf/jp

10/65



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 24, 2012

H.F. _____

1 for administrative or other costs prior to distribution:
2 (1) For distribution to the Iowa primary care association
3 for statewide coordination of the Iowa collaborative safety net
4 provider network:
5 \$ ~~66,290~~
6 70,000
7 (2) For distribution to the local boards of health that
8 provide direct services for pilot programs in three counties to
9 assist patients in determining an appropriate medical home:
10 \$ ~~38,804~~
11 77,609
12 (3) For distribution to maternal and child health centers
13 for pilot programs in three counties to assist patients in
14 determining an appropriate medical home:
15 \$ ~~38,804~~
16 77,609
17 (4) For distribution to free clinics for necessary
18 infrastructure, statewide coordination, provider recruitment,
19 service delivery, and provision of assistance to patients in
20 determining an appropriate medical home:
21 \$ ~~62,025~~
22 124,050
23 (5) For distribution to rural health clinics for necessary
24 infrastructure, statewide coordination, provider recruitment,
25 service delivery, and provision of assistance to patients in
26 determining an appropriate medical home:
27 \$ ~~55,215~~
28 110,430
29 (6) For continuation of the safety net provider patient
30 access to specialty health care initiative as described in 2007
31 Iowa Acts, chapter 218, section 109:
32 \$ ~~130,000~~
33 260,000
34 (7) For continuation of the pharmaceutical infrastructure
35 for safety net providers as described in 2007 Iowa Acts,

LSB 5118YC (1) 84

-11-

pf/jp

11/65



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 24, 2012

H.F. _____

1 chapter 218, section 108:

2 \$ 135,000
3 270,000

4 The Iowa collaborative safety net provider network may
5 continue to distribute funds allocated pursuant to this
6 lettered paragraph through existing contracts or renewal of
7 existing contracts.

8 ~~h. (1) Of the funds appropriated in this subsection,~~
9 ~~\$74,500 shall be used for continued implementation of~~
10 ~~the recommendations of the direct care worker task force~~
11 ~~established pursuant to 2005 Iowa Acts, chapter 88, based upon~~
12 ~~the report submitted to the governor and the general assembly~~
13 ~~in December 2006. The department may use a portion of the~~
14 ~~funds allocated in this lettered paragraph for an additional~~
15 ~~position to assist in the continued implementation.~~

16 ~~i. (1) Of the funds appropriated in this subsection,~~
17 ~~\$65,050 shall be used for allocation to an independent~~
18 ~~statewide direct care worker association under a contract with~~
19 ~~terms determined by the director of public health relating~~
20 ~~to education, outreach, leadership development, mentoring,~~
21 ~~and other initiatives intended to enhance the recruitment and~~
22 ~~retention of direct care workers in health care and long-term~~
23 ~~care settings.~~

24 ~~(2) Of the funds appropriated in this subsection, \$29,000~~
25 ~~shall be used to provide scholarships or other forms of~~
26 ~~subsidization for direct care worker educational conferences,~~
27 ~~training, or outreach activities.~~

28 j. Of the funds appropriated in this subsection, the
29 department may use up to ~~\$29,259~~ \$58,518 for up to one
30 full-time equivalent position to administer the volunteer
31 health care provider program pursuant to section 135.24.

32 k. Of the funds appropriated in this subsection, ~~\$25,000~~
33 \$50,000 shall be used for a matching dental education loan
34 repayment program to be allocated to a dental nonprofit health
35 service corporation to develop the criteria and implement the

LSB 5118YC (1) 84

-12-

pf/jp

12/65



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 24, 2012

H.F. _____

1 loan repayment program.

2 1. The amount appropriated in this subsection reflects
3 a reduction in expenditures for office supplies, purchases
4 of equipment, office equipment, printing and binding, and
5 marketing, that shall be applied equitably to the programs
6 under this subsection.

7 5. HEALTHY AGING

8 To provide public health services that reduce risks and
9 invest in promoting and protecting good health over the
10 course of a lifetime with a priority given to older Iowans and
11 vulnerable populations:

12 \$ 3,648,571
13 7,297,142

14 a. Of the funds appropriated in this subsection, ~~\$1,004,593~~
15 \$2,009,187 shall be used for local public health nursing
16 services.

17 b. Of the funds appropriated in this subsection, ~~\$2,643,977~~
18 \$5,287,955 shall be used for home care aide services.

19 6. ENVIRONMENTAL HAZARDS

20 For reducing the public's exposure to hazards in the
21 environment, primarily chemical hazards, and for not more than
22 the following full-time equivalent positions:

23 \$ 406,888
24 803,870
25 FTEs 4.00

26 a. Of the funds appropriated in this subsection, ~~\$272,188~~
27 \$544,377 shall be used for childhood lead poisoning provisions.

28 b. The amount appropriated in this subsection reflects
29 a reduction in expenditures for office supplies, purchases
30 of equipment, office equipment, printing and binding, and
31 marketing, that shall be applied equitably to the programs
32 under this subsection.

33 7. INFECTIOUS DISEASES

34 For reducing the incidence and prevalence of communicable
35 diseases, and for not more than the following full-time

LSB 5118YC (1) 84

-13-

pf/jp

13/65



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 24, 2012

H.F. _____

1 equivalent positions:

2	\$	672,923
3		<u>1,335,155</u>
4	FTEs	4.00

5 The amount appropriated in this subsection reflects a
6 reduction in expenditures for office supplies, purchases
7 of equipment, office equipment, printing and binding, and
8 marketing, that shall be applied equitably to the programs
9 under this subsection.

10 8. PUBLIC PROTECTION

11 For protecting the health and safety of the public through
12 establishing standards and enforcing regulations, and for not
13 more than the following full-time equivalent positions:

14	\$	1,388,116
15		<u>2,540,489</u>
16	FTEs	125.00

17 a. Of the funds appropriated in this subsection, not more
18 than ~~\$235,845~~ \$471,690 shall be credited to the emergency
19 medical services fund created in section 135.25. Moneys in
20 the emergency medical services fund are appropriated to the
21 department to be used for the purposes of the fund.

22 b. Of the funds appropriated in this subsection, ~~\$105,309~~
23 \$210,619 shall be used for sexual violence prevention
24 programming through a statewide organization representing
25 programs serving victims of sexual violence through the
26 department's sexual violence prevention program. The amount
27 allocated in this lettered paragraph shall not be used to
28 supplant funding administered for other sexual violence
29 prevention or victims assistance programs.

30 c. Of the funds appropriated in this subsection, not more
31 than ~~\$218,291~~ \$436,582 shall be used for the state poison
32 control center.

33 d. The amount appropriated in this subsection reflects
34 a reduction in expenditures for office supplies, purchases
35 of equipment, office equipment, printing and binding, and

LSB 5118YC (1) 84

-14-

pf/jp

14/65



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 24, 2012

H.F. _____

1 marketing, that shall be applied equitably to the programs
2 under this subsection.

3 9. RESOURCE MANAGEMENT

4 For establishing and sustaining the overall ability of the
5 department to deliver services to the public, and for not more
6 than the following full-time equivalent positions:

7	\$	409,777
8		<u>734,500</u>
9	FTEs	7.00

10 The amount appropriated in this subsection reflects a
11 reduction in expenditures for office supplies, purchases
12 of equipment, office equipment, printing and binding, and
13 marketing, that shall be applied equitably across programs
14 under the purview of the department under this subsection.

15 The university of Iowa hospitals and clinics under the
16 control of the state board of regents shall not receive
17 indirect costs from the funds appropriated in this section.
18 The university of Iowa hospitals and clinics billings to the
19 department shall be on at least a quarterly basis.

20 DIVISION III

21 DEPARTMENT OF VETERANS AFFAIRS

22 Sec. 3. 2011 Iowa Acts, chapter 129, section 115, is amended
23 to read as follows:

24 SEC. 115. DEPARTMENT OF VETERANS AFFAIRS. There is
25 appropriated from the general fund of the state to the
26 department of veterans affairs for the fiscal year beginning
27 July 1, 2012, and ending June 30, 2013, the following amounts,
28 or so much thereof as is necessary, to be used for the purposes
29 designated:

30 1. DEPARTMENT OF VETERANS AFFAIRS ADMINISTRATION

31 For salaries, support, maintenance, and miscellaneous
32 purposes, including the war orphans educational assistance fund
33 created in section 35.8, and for not more than the following
34 full-time equivalent positions:

35	\$	499,416
----------	----	---------

LSB 5118YC (1) 84

-15-

pf/jp

15/65



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 24, 2012

H.F. _____

1 1,000,819
2 FTEs 16.34
3 The amount appropriated in this subsection reflects a
4 reduction in expenditures for office supplies, purchases
5 of equipment, office equipment, printing and binding, and
6 marketing, that shall be applied equitably to the programs
7 under this subsection.
8 2. IOWA VETERANS HOME
9 For salaries, support, maintenance, and miscellaneous
10 purposes:
11 \$ 4,476,075
12 8,775,714
13 a. The Iowa veterans home billings involving the department
14 of human services shall be submitted to the department on at
15 least a monthly basis.
16 b. If there is a change in the employer of employees
17 providing services at the Iowa veterans home under a collective
18 bargaining agreement, such employees and the agreement shall
19 be continued by the successor employer as though there had not
20 been a change in employer.
21 c. Within available resources and in conformance with
22 associated state and federal program eligibility requirements,
23 the Iowa veterans home may implement measures to provide
24 financial assistance to or on behalf of veterans or their
25 spouses participating in the community reentry program.
26 d. The Iowa veterans home expenditure report shall be
27 submitted monthly to the legislative services agency.
28 e. The amount appropriated in this subsection reflects
29 a reduction in expenditures for office supplies, purchases
30 of equipment, office equipment, printing and binding, and
31 marketing, that shall be applied equitably to the programs
32 under this subsection.
33 3. STATE EDUCATIONAL ASSISTANCE — CHILDREN OF DECEASED
34 VETERANS
35 For provision of educational assistance pursuant to section

LSB 5118YC (1) 84

-16-

pf/jp

16/65



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 24, 2012

H.F. _____

1 35.9:

2 \$ ~~6,208~~

3 12,416

4 Sec. 4. 2011 Iowa Acts, chapter 129, section 116, is amended
5 to read as follows:

6 SEC. 116. LIMITATION OF COUNTY COMMISSION OF VETERANS
7 AFFAIRS FUND STANDING APPROPRIATIONS. Notwithstanding the
8 standing appropriation in the following designated section for
9 the fiscal year beginning July 1, 2012, and ending June 30,
10 2013, the amounts appropriated from the general fund of the
11 state pursuant to that section for the following designated
12 purposes shall not exceed the following amount:

13 For the county commissions of veterans affairs fund under
14 section 35A.16:

15 \$ ~~495,000~~

16 990,000

17 DIVISION IV

18 DEPARTMENT OF HUMAN SERVICES

19 Sec. 5. 2011 Iowa Acts, chapter 129, section 117, is amended
20 to read as follows:

21 SEC. 117. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES BLOCK
22 GRANT. There is appropriated from the fund created in section
23 8.41 to the department of human services for the fiscal year
24 beginning July 1, 2012, and ending June 30, 2013, from moneys
25 received under the federal temporary assistance for needy
26 families (TANF) block grant pursuant to the federal Personal
27 Responsibility and Work Opportunity Reconciliation Act of 1996,
28 Pub. L. No. 104-193, and successor legislation, and from moneys
29 received under the emergency contingency fund for temporary
30 assistance for needy families state program established
31 pursuant to the federal American Recovery and Reinvestment Act
32 of 2009, Pub. L. No. 111-5 § 2101, and successor legislation,
33 the following amounts, or so much thereof as is necessary, to
34 be used for the purposes designated:

35 1. To be credited to the family investment program account

LSB 5118YC (1) 84

-17-

pf/jp

17/65



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 24, 2012

H.F. _____

1 and used for assistance under the family investment program
2 under chapter 239B:
3 \$ ~~10,750,369~~
4 19,790,365
5 2. To be credited to the family investment program account
6 and used for the job opportunities and basic skills (JOBS)
7 program and implementing family investment agreements in
8 accordance with chapter 239B:
9 \$ ~~6,205,764~~
10 12,411,528
11 3. To be used for the family development and
12 self-sufficiency grant program in accordance with section
13 216A.107:
14 \$ ~~1,449,490~~
15 2,898,980
16 Notwithstanding section 8.33, moneys appropriated in this
17 subsection that remain unencumbered or unobligated at the close
18 of the fiscal year shall not revert but shall remain available
19 for expenditure for the purposes designated until the close of
20 the succeeding fiscal year. However, unless such moneys are
21 encumbered or obligated on or before September 30, 2013, the
22 moneys shall revert.
23 4. For field operations:
24 \$ ~~15,648,116~~
25 31,296,232
26 5. For general administration:
27 \$ ~~1,872,000~~
28 3,744,000
29 6. For state child care assistance:
30 \$ ~~8,191,343~~
31 16,382,687
32 The funds appropriated in this subsection shall be
33 transferred to the child care and development block grant
34 appropriation made in 2011 Iowa Acts, chapter 126, section
35 32, by the Eighty-fourth General Assembly, 2012 Session, for

LSB 5118YC (1) 84

-18-

pf/jp

18/65



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 24, 2012

H.F. _____

1 the federal fiscal year beginning October 1, 2012, and ending
2 September 30, 2013. Of this amount, ~~\$100,000~~ \$200,000 shall be
3 used for provision of educational opportunities to registered
4 child care home providers in order to improve services and
5 programs offered by this category of providers and to increase
6 the number of providers. The department may contract with
7 institutions of higher education or child care resource and
8 referral centers to provide the educational opportunities.
9 Allowable administrative costs under the contracts shall not
10 exceed 5 percent. The application for a grant shall not exceed
11 two pages in length.

12 7. For mental health and developmental disabilities
13 community services:

14 \$ 2,447,026
15 4,894,052

16 8. For child and family services:

17 \$ 16,042,215
18 32,084,430

19 9. For child abuse prevention grants:

20 \$ 62,500
21 125,000

22 10. For pregnancy prevention grants on the condition that
23 family planning services are funded:

24 \$ 965,033
25 1,930,067

26 Pregnancy prevention grants shall be awarded to programs
27 in existence on or before July 1, 2012, if the programs have
28 demonstrated positive outcomes. Grants shall be awarded to
29 pregnancy prevention programs which are developed after July
30 1, 2012, if the programs are based on existing models that
31 have demonstrated positive outcomes. Grants shall comply with
32 the requirements provided in 1997 Iowa Acts, chapter 208,
33 section 14, subsections 1 and 2, including the requirement that
34 grant programs must emphasize sexual abstinence. Priority in
35 the awarding of grants shall be given to programs that serve

LSB 5118YC (1) 84

-19-

pf/jp

19/65



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 24, 2012

H.F. _____

1 areas of the state which demonstrate the highest percentage of
2 unplanned pregnancies of females of childbearing age within the
3 geographic area to be served by the grant.

4 11. For technology needs and other resources necessary
5 to meet federal welfare reform reporting, tracking, and case
6 management requirements:

7 \$ 518,593
8 1,037,186

9 12. To be credited to the state child care assistance
10 appropriation made in this section to be used for funding of
11 community-based early childhood programs targeted to children
12 from birth through five years of age developed by early
13 childhood Iowa areas as provided in section 256I.11:

14 \$ 3,175,000
15 6,350,000

16 The department shall transfer TANF block grant funding
17 appropriated and allocated in this subsection to the child care
18 and development block grant appropriation in accordance with
19 federal law as necessary to comply with the provisions of this
20 subsection.

21 13. a. Notwithstanding any provision to the contrary,
22 including but not limited to requirements in section 8.41 or
23 provisions in 2011 or 2012 Iowa Acts regarding the receipt
24 and appropriation of federal block grants, federal funds
25 from the emergency contingency fund for temporary assistance
26 for needy families state program established pursuant to the
27 federal American Recovery and Reinvestment Act of 2009, Pub.
28 L. No. 111-5 § 2101, received by the state during the fiscal
29 year beginning July 1, 2011, and ending June 30, 2012, not
30 otherwise appropriated in this section and remaining available
31 as of July 1, 2012, and received by the state during the fiscal
32 year beginning July 1, 2012, and ending June 30, 2013, are
33 appropriated to the extent as may be necessary to be used in
34 the following priority order: the family investment program
35 for the fiscal year and for state child care assistance program

LSB 5118YC (1) 84

-20-

pf/jp

20/65



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 24, 2012

H.F. _____

1 payments for individuals enrolled in the family investment
2 program who are employed. The federal funds appropriated in
3 this paragraph "a" shall be expended only after all other
4 funds appropriated in subsection 1 for the assistance under
5 the family investment program under chapter 239B have been
6 expended.

7 b. The department shall, on a quarterly basis, advise the
8 legislative services agency and department of management of
9 the amount of funds appropriated in this subsection that was
10 expended in the prior quarter.

11 14. Of the amounts appropriated in this section, ~~\$6,481,004~~
12 \$12,962,008 for the fiscal year beginning July 1, 2012, shall
13 be transferred to the appropriation of the federal social
14 services block grant made for that fiscal year.

15 15. For continuation of the program allowing the department
16 to maintain categorical eligibility for the food assistance
17 program as required under the section of this division relating
18 to the family investment account:

19	\$	73,036
20		<u>25,000</u>

21 16. The department may transfer funds allocated in this
22 section to the appropriations made in this division of this Act
23 for general administration and field operations for resources
24 necessary to implement and operate the services referred to in
25 this section and those funded in the appropriation made in this
26 division of this Act for the family investment program from the
27 general fund of the state.

28 Sec. 6. 2011 Iowa Acts, chapter 129, section 118, is amended
29 to read as follows:

30 SEC. 118. FAMILY INVESTMENT PROGRAM ACCOUNT.

31 1. Moneys credited to the family investment program (FIP)
32 account for the fiscal year beginning July 1, 2012, and
33 ending June 30, 2013, shall be used to provide assistance in
34 accordance with chapter 239B.

35 2. The department may use a portion of the moneys credited

LSB 5118YC (1) 84

-21-

pf/jp

21/65



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 24, 2012

H.F. _____

1 to the FIP account under this section as necessary for
2 salaries, support, maintenance, and miscellaneous purposes.

3 3. The department may transfer funds allocated in this
4 section to the appropriations in this division of this Act
5 for general administration and field operations for resources
6 necessary to implement and operate the services referred to in
7 this section and those funded in the appropriation made in this
8 division of this Act for the family investment program from the
9 general fund of the state.

10 4. Moneys appropriated in this division of this Act and
11 credited to the FIP account for the fiscal year beginning July
12 1, 2012, and ending June 30, 2013, are allocated as follows:

13 a. To be retained by the department of human services to
14 be used for coordinating with the department of human rights
15 to more effectively serve participants in the FIP program and
16 other shared clients and to meet federal reporting requirements
17 under the federal temporary assistance for needy families block
18 grant:

19 \$ ~~10,000~~
20 20,000

21 b. To the department of human rights for staffing,
22 administration, and implementation of the family development
23 and self-sufficiency grant program in accordance with section
24 216A.107:

25 \$ ~~2,671,417~~
26 5,342,834

27 (1) Of the funds allocated for the family development and
28 self-sufficiency grant program in this lettered paragraph,
29 not more than 5 percent of the funds shall be used for the
30 administration of the grant program.

31 (2) The department of human rights may continue to implement
32 the family development and self-sufficiency grant program
33 statewide during fiscal year 2012-2013.

34 c. For the diversion subaccount of the FIP account:

35 \$ ~~849,200~~

LSB 5118YC (1) 84

-22-

pf/jp

22/65



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 24, 2012

H.F. _____

1 1,698,400
2 A portion of the moneys allocated for the subaccount may
3 be used for field operations salaries, data management system
4 development, and implementation costs and support deemed
5 necessary by the director of human services in order to
6 administer the FIP diversion program.
7 d. For the food stamp employment and training program:
8 \$ ~~33,294~~
9 66,588
10 (1) The department shall amend the food stamp employment and
11 training state plan in order to maximize to the fullest extent
12 permitted by federal law the use of the 50-50 match provisions
13 for the claiming of allowable federal matching funds from the
14 United States department of agriculture pursuant to the federal
15 food stamp employment and training program for providing
16 education, employment, and training services for eligible food
17 assistance program participants, including but not limited to
18 related dependent care and transportation expenses.
19 (2) The department shall continue the categorical federal
20 food assistance program eligibility at 160 percent of the
21 federal poverty level and continue to eliminate the asset test
22 from eligibility requirements, consistent with federal food
23 assistance program requirements. The department shall include
24 as many food assistance households as is allowed by federal
25 law. The eligibility provisions shall conform to all federal
26 requirements including requirements addressing individuals who
27 are incarcerated or otherwise ineligible.
28 e. For the JOBS program:
29 \$ ~~10,117,952~~
30 20,235,905
31 5. Of the child support collections assigned under FIP,
32 an amount equal to the federal share of support collections
33 shall be credited to the child support recovery appropriation
34 made in this division of this Act. Of the remainder of the
35 assigned child support collections received by the child



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 24, 2012

H.F. _____

1 support recovery unit, a portion shall be credited to the FIP
2 account, a portion may be used to increase recoveries, and a
3 portion may be used to sustain cash flow in the child support
4 payments account. If as a consequence of the appropriations
5 and allocations made in this section the resulting amounts
6 are insufficient to sustain cash assistance payments and meet
7 federal maintenance of effort requirements, the department
8 shall seek supplemental funding. If child support collections
9 assigned under FIP are greater than estimated or are otherwise
10 determined not to be required for maintenance of effort, the
11 state share of either amount may be transferred to or retained
12 in the child support payment account.

13 6. The department may adopt emergency rules for the family
14 investment, JOBS, food stamp, and medical assistance programs
15 if necessary to comply with federal requirements.

16 Sec. 7. 2011 Iowa Acts, chapter 129, section 119, is amended
17 to read as follows:

18 SEC. 119. FAMILY INVESTMENT PROGRAM GENERAL FUND. There
19 is appropriated from the general fund of the state to the
20 department of human services for the fiscal year beginning July
21 1, 2012, and ending June 30, 2013, the following amount, or
22 so much thereof as is necessary, to be used for the purpose
23 designated:

24 To be credited to the family investment program (FIP)
25 account and used for family investment program assistance under
26 chapter 239B:

27 \$ ~~25,085,513~~
28 45,286,573

29 1. Of the funds appropriated in this section, ~~\$3,912,188~~
30 \$7,824,377 is allocated for the JOBS program.

31 2. Of the funds appropriated in this section, ~~\$1,231,927~~
32 \$2,463,854 is allocated for the family development and
33 self-sufficiency grant program.

34 3. Notwithstanding section 8.39, for the fiscal year
35 beginning July 1, 2012, if necessary to meet federal

LSB 5118YC (1) 84

-24-

pf/jp

24/65



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 24, 2012

H.F. _____

1 maintenance of effort requirements or to transfer federal
2 temporary assistance for needy families block grant funding
3 to be used for purposes of the federal social services block
4 grant or to meet cash flow needs resulting from delays in
5 receiving federal funding or to implement, in accordance with
6 this division of this Act, activities currently funded with
7 juvenile court services, county, or community moneys and state
8 moneys used in combination with such moneys, the department
9 of human services may transfer funds within or between any
10 of the appropriations made in this division of this Act and
11 appropriations in law for the federal social services block
12 grant to the department for the following purposes, provided
13 that the combined amount of state and federal temporary
14 assistance for needy families block grant funding for each
15 appropriation remains the same before and after the transfer:

- 16 a. For the family investment program.
17 b. For child care assistance.
18 c. For child and family services.
19 d. For field operations.
20 e. For general administration.
21 f. MH/MR/DD/BI community services (local purchase).
22 This subsection shall not be construed to prohibit the use
23 of existing state transfer authority for other purposes. The
24 department shall report any transfers made pursuant to this
25 subsection to the legislative services agency.

26 4. Of the funds appropriated in this section, ~~\$97,839~~
27 \$195,678 shall be used for continuation of a grant to an
28 Iowa-based nonprofit organization with a history of providing
29 tax preparation assistance to low-income Iowans in order to
30 expand the usage of the earned income tax credit. The purpose
31 of the grant is to supply this assistance to underserved areas
32 of the state.

33 5. The amount appropriated in this section reflects a
34 reduction in expenditures for office supplies, purchases
35 of equipment, office equipment, printing and binding, and

LSB 5118YC (1) 84

-25-

pf/jp

25/65



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 24, 2012

H.F. _____

1 marketing, that shall be applied equitably to the programs
2 under this section.

3 Sec. 8. 2011 Iowa Acts, chapter 129, section 120, is amended
4 to read as follows:

5 SEC. 120. CHILD SUPPORT RECOVERY. There is appropriated
6 from the general fund of the state to the department of human
7 services for the fiscal year beginning July 1, 2012, and ending
8 June 30, 2013, the following amount, or so much thereof as is
9 necessary, to be used for the purposes designated:

10 For child support recovery, including salaries, support,
11 maintenance, and miscellaneous purposes, and for not more than
12 the following full-time equivalent positions:

13	\$	6,559,627
14		<u>12,549,560</u>
15	FTEs	475.00

16 1. The department shall expend up to ~~\$12,164~~ \$24,329,
17 including federal financial participation, for the fiscal year
18 beginning July 1, 2012, for a child support public awareness
19 campaign. The department and the office of the attorney
20 general shall cooperate in continuation of the campaign. The
21 public awareness campaign shall emphasize, through a variety
22 of media activities, the importance of maximum involvement of
23 both parents in the lives of their children as well as the
24 importance of payment of child support obligations.

25 2. Federal access and visitation grant moneys shall be
26 issued directly to private not-for-profit agencies that provide
27 services designed to increase compliance with the child access
28 provisions of court orders, including but not limited to
29 neutral visitation sites and mediation services.

30 3. The appropriation made to the department for child
31 support recovery may be used throughout the fiscal year in the
32 manner necessary for purposes of cash flow management, and for
33 cash flow management purposes the department may temporarily
34 draw more than the amount appropriated, provided the amount
35 appropriated is not exceeded at the close of the fiscal year.

LSB 5118YC (1) 84

-26-

pf/jp

26/65



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 24, 2012

H.F. _____

1 4. With the exception of the funding amount specified, the
2 requirements established under 2001 Iowa Acts, chapter 191,
3 section 3, subsection 5, paragraph "c", subparagraph (3), shall
4 be applicable to parental obligation pilot projects for the
5 fiscal year beginning July 1, 2012, and ending June 30, 2013.
6 Notwithstanding 441 IAC 100.8, providing for termination of
7 rules relating to the pilot projects, the rules shall remain
8 in effect until June 30, 2013.

9 5. The amount appropriated in this section reflects a
10 reduction in expenditures for office supplies, purchases
11 of equipment, office equipment, printing and binding, and
12 marketing.

13 Sec. 9. 2011 Iowa Acts, chapter 129, section 121, is amended
14 to read as follows:

15 SEC. 121. HEALTH CARE TRUST FUND — MEDICAL ASSISTANCE. Any
16 funds remaining in the health care trust fund created in
17 section 453A.35A for the fiscal year beginning July 1, 2012,
18 and ending June 30, 2013, are appropriated to the department
19 of human services to supplement the medical assistance program
20 appropriations made in this Act, for medical assistance
21 reimbursement and associated costs, including program
22 administration and costs associated with implementation.

23 MEDICAL ASSISTANCE PROGRAM

24 Sec. 10. 2011 Iowa Acts, chapter 129, section 122,
25 unnumbered paragraph 2, is amended to read as follows:

26 For medical assistance program reimbursement and associated
27 costs as specifically provided in the reimbursement
28 methodologies in effect on June 30, 2012, except as otherwise
29 expressly authorized by law, and consistent with options under
30 federal law and regulations:

31 ~~\$914,993,421~~
32 946,204,576

33 MEDICAL ASSISTANCE — DISPROPORTIONATE SHARE HOSPITAL

34 Sec. 11. 2011 Iowa Acts, chapter 129, section 122,
35 subsection 11, paragraph a, unnumbered paragraph 1, is amended

LSB 5118YC (1) 84

-27-

pf/jp

27/65



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 24, 2012

H.F. _____

1 to read as follows:

2 Of the funds appropriated in this section, ~~\$7,425,684~~
3 \$7,678,245 is allocated for the state match for a
4 disproportionate share hospital payment of \$19,133,430 to
5 hospitals that meet both of the conditions specified in
6 subparagraphs (1) and (2). In addition, the hospitals that
7 meet the conditions specified shall either certify public
8 expenditures or transfer to the medical assistance program
9 an amount equal to provide the nonfederal share for a
10 disproportionate share hospital payment of \$7,500,000. The
11 hospitals that meet the conditions specified shall receive and
12 retain 100 percent of the total disproportionate share hospital
13 payment of \$26,633,430.

14 MEDICAL ASSISTANCE — IOWACARE TRANSFER

15 Sec. 12. 2011 Iowa Acts, chapter 129, section 122,
16 subsection 13, is amended to read as follows:

17 13. Of the funds appropriated in this section, up to
18 ~~\$4,480,304~~ \$8,684,329 may be transferred to the IowaCare
19 account created in section 249J.24.

20 MEDICAL ASSISTANCE — COST CONTAINMENT STRATEGIES

21 Sec. 13. 2011 Iowa Acts, chapter 129, section 122,
22 subsection 20, paragraphs a and d, are amended to read as
23 follows:

24 a. The department may continue to implement cost
25 containment strategies recommended by the governor, and for
26 the fiscal year beginning July 1, 2011, and shall implement
27 new strategies for the fiscal year beginning July 1, 2012, as
28 specified in this division of this 2012 Act. It is the intent
29 of the general assembly that the cost containment strategies
30 are implemented only to the extent necessary to achieve
31 projected savings. The department may adopt emergency rules
32 for such implementation.

33 d. If the savings to the medical assistance program for
34 the fiscal year beginning July 1, 2012, exceed the cost, the
35 department may transfer any savings generated for the fiscal

LSB 5118YC (1) 84

-28-

pf/jp

28/65



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 24, 2012

H.F. _____

1 year due to medical assistance program cost containment efforts
2 initiated pursuant to 2010 Iowa Acts, chapter 1031, Executive
3 Order No. 20, issued December 16, 2009, or cost containment
4 strategies initiated pursuant to this subsection, to the
5 appropriation made in this division of this Act for medical
6 contracts or general administration to defray the increased
7 contract costs associated with implementing such efforts.

8 MEDICAL ASSISTANCE — COST CONTAINMENT PROVISIONS

9 Sec. 14. 2011 Iowa Acts, chapter 129, section 122, is
10 amended by adding the following new subsections:

11 NEW SUBSECTION. 23. The department shall align
12 reimbursement for prescription drugs administered by a
13 physician to be equivalent to the reimbursement for the same
14 prescription drug when dispensed by a pharmacy.

15 NEW SUBSECTION. 24. The department shall implement a
16 hospital inpatient reimbursement policy to provide for the
17 combining of an original claim for an inpatient stay with a
18 claim for a subsequent inpatient stay when the patient is
19 admitted within seven days of discharge from the original
20 hospital stay for the same condition.

21 NEW SUBSECTION. 25. The department shall implement a
22 policy to ensure that reimbursement for Medicare Part A and
23 Medicare Part B crossover claims is limited to the Medicaid
24 reimbursement rate.

25 NEW SUBSECTION. 26. The department shall transition
26 payment for and administration of services provided by
27 psychiatric medical institutions for children to the Iowa plan.

28 NEW SUBSECTION. 27. The amount appropriated in this section
29 reflects a reduction in expenditures for office supplies,
30 purchases of equipment, office equipment, printing and binding,
31 and marketing, that shall be applied equitably to the programs
32 under this section.

33 Sec. 15. 2011 Iowa Acts, chapter 129, section 123, is
34 amended to read as follows:

35 SEC. 123. MEDICAL CONTRACTS. There is appropriated from the

LSB 5118YC (1) 84

-29-

pf/jp

29/65



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 24, 2012

H.F. _____

1 general fund of the state to the department of human services
2 for the fiscal year beginning July 1, 2012, and ending June 30,
3 2013, the following amount, or so much thereof as is necessary,
4 to be used for the purpose designated:

5 For medical contracts:

6 \$ ~~5,453,728~~
7 7,117,155

8 1. The department of inspections and appeals shall
9 provide all state matching funds for survey and certification
10 activities performed by the department of inspections
11 and appeals. The department of human services is solely
12 responsible for distributing the federal matching funds for
13 such activities.

14 2. Of the funds appropriated in this section, ~~\$25,000~~
15 \$50,000 shall be used for continuation of home and
16 community-based services waiver quality assurance programs,
17 including the review and streamlining of processes and policies
18 related to oversight and quality management to meet state and
19 federal requirements.

20 3. Of the amount appropriated in this section, up to
21 \$200,000 may be transferred to the appropriation for general
22 administration in this division of this Act to be used for
23 additional full-time equivalent positions in the development of
24 key health initiatives such as cost containment, development
25 and oversight of managed care programs, and development of
26 health strategies targeted toward improved quality and reduced
27 costs in the Medicaid program.

28 4. The amount appropriated in this section reflects a
29 reduction in expenditures for office supplies, purchases
30 of equipment, office equipment, printing and binding, and
31 marketing budgeted for under this subsection.

32 Sec. 16. 2011 Iowa Acts, chapter 129, section 124, is
33 amended to read as follows:

34 SEC. 124. STATE SUPPLEMENTARY ASSISTANCE.

35 1. There is appropriated from the general fund of the

LSB 5118YC (1) 84

-30-

pf/jp

30/65



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 24, 2012

H.F. _____

1 state to the department of human services for the fiscal year
2 beginning July 1, 2012, and ending June 30, 2013, the following
3 amount, or so much thereof as is necessary, to be used for the
4 purpose designated:

5 For the state supplementary assistance program:

6 \$ ~~8,425,373~~
7 15,450,747

8 2. The department shall increase the personal needs
9 allowance for residents of residential care facilities by the
10 same percentage and at the same time as federal supplemental
11 security income and federal social security benefits are
12 increased due to a recognized increase in the cost of living.
13 The department may adopt emergency rules to implement this
14 subsection.

15 3. If during the fiscal year beginning July 1, 2012,
16 the department projects that state supplementary assistance
17 expenditures for a calendar year will not meet the federal
18 pass-through requirement specified in Tit. XVI of the federal
19 Social Security Act, section 1618, as codified in 42 U.S.C.
20 § 1382g, the department may take actions including but not
21 limited to increasing the personal needs allowance for
22 residential care facility residents and making programmatic
23 adjustments or upward adjustments of the residential care
24 facility or in-home health-related care reimbursement rates
25 prescribed in this division of this Act to ensure that federal
26 requirements are met. In addition, the department may make
27 other programmatic and rate adjustments necessary to remain
28 within the amount appropriated in this section while ensuring
29 compliance with federal requirements. The department may adopt
30 emergency rules to implement the provisions of this subsection.

31 Sec. 17. 2011 Iowa Acts, chapter 129, section 125, is
32 amended to read as follows:

33 SEC. 125. CHILDREN'S HEALTH INSURANCE PROGRAM.

34 1. There is appropriated from the general fund of the
35 state to the department of human services for the fiscal year

LSB 5118YC (1) 84

-31-

pf/jp

31/65



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 24, 2012

H.F. _____

1 beginning July 1, 2012, and ending June 30, 2013, the following
2 amount, or so much thereof as is necessary, to be used for the
3 purpose designated:

4 For maintenance of the healthy and well kids in Iowa (hawk-i)
5 program pursuant to chapter 514I, including supplemental dental
6 services, for receipt of federal financial participation under
7 Tit. XXI of the federal Social Security Act, which creates the
8 children's health insurance program:

9 \$ ~~16,403,051~~
10 32,677,152

11 ~~2. Of the funds appropriated in this section, \$64,475 is~~
12 ~~allocated for continuation of the contract for outreach with~~
13 ~~the department of public health.~~

14 Sec. 18. 2011 Iowa Acts, chapter 129, section 126, is
15 amended to read as follows:

16 SEC. 126. CHILD CARE ASSISTANCE. There is appropriated
17 from the general fund of the state to the department of human
18 services for the fiscal year beginning July 1, 2012, and ending
19 June 30, 2013, the following amount, or so much thereof as is
20 necessary, to be used for the purpose designated:

21 For child care programs:

22 \$ ~~26,618,831~~
23 56,791,816

24 1. Of the funds appropriated in this section, ~~\$25,948,041~~
25 \$51,896,082 shall be used for state child care assistance in
26 accordance with section 237A.13.

27 2. Nothing in this section shall be construed or is
28 intended as or shall imply a grant of entitlement for services
29 to persons who are eligible for assistance due to an income
30 level consistent with the waiting list requirements of section
31 237A.13. Any state obligation to provide services pursuant to
32 this section is limited to the extent of the funds appropriated
33 in this section.

34 3. Of the funds appropriated in this section, ~~\$216,226~~
35 \$432,453 is allocated for the statewide program for child care

LSB 5118YC (1) 84

-32-

pf/jp

32/65



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 24, 2012

H.F. _____

1 resource and referral services under section 237A.26. A list
2 of the registered and licensed child care facilities operating
3 in the area served by a child care resource and referral
4 service shall be made available to the families receiving state
5 child care assistance in that area.

6 4. Of the funds appropriated in this section, ~~\$468,487~~
7 \$936,974 is allocated for child care quality improvement
8 initiatives including but not limited to the voluntary quality
9 rating system in accordance with section 237A.30.

10 5. The department may use any of the funds appropriated
11 in this section as a match to obtain federal funds for use in
12 expanding child care assistance and related programs. For
13 the purpose of expenditures of state and federal child care
14 funding, funds shall be considered obligated at the time
15 expenditures are projected or are allocated to the department's
16 service areas. Projections shall be based on current and
17 projected caseload growth, current and projected provider
18 rates, staffing requirements for eligibility determination
19 and management of program requirements including data systems
20 management, staffing requirements for administration of the
21 program, contractual and grant obligations and any transfers
22 to other state agencies, and obligations for decategorization
23 or innovation projects.

24 6. A portion of the state match for the federal child care
25 and development block grant shall be provided as necessary to
26 meet federal matching funds requirements through the state
27 general fund appropriation made for child development grants
28 and other programs for at-risk children in section 279.51.

29 7. If a uniform reduction ordered by the governor under
30 section 8.31 or other operation of law, transfer, or federal
31 funding reduction reduces the appropriation made in this
32 section for the fiscal year, the percentage reduction in the
33 amount paid out to or on behalf of the families participating
34 in the state child care assistance program shall be equal to or
35 less than the percentage reduction made for any other purpose

LSB 5118YC (1) 84

-33-

pf/jp

33/65



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 24, 2012

H.F. _____

1 payable from the appropriation made in this section and the
2 federal funding relating to it. The percentage reduction to
3 the other allocations made in this section shall be the same as
4 the uniform reduction ordered by the governor or the percentage
5 change of the federal funding reduction, as applicable.

6 If there is an unanticipated increase in federal funding
7 provided for state child care assistance, the entire amount
8 of the increase shall be used for state child care assistance
9 payments. If the appropriations made for purposes of the
10 state child care assistance program for the fiscal year are
11 determined to be insufficient, it is the intent of the general
12 assembly to appropriate sufficient funding for the fiscal year
13 in order to avoid establishment of waiting list requirements.

14 8. Notwithstanding section 8.33, moneys appropriated in
15 this section or received from the federal appropriations made
16 for the purposes of this section that remain unencumbered or
17 unobligated at the close of the fiscal year shall not revert
18 to any fund but shall remain available for expenditure for the
19 purposes designated until the close of the succeeding fiscal
20 year.

21 9. The amount appropriated in this section reflects a
22 reduction in expenditures for office supplies, purchases
23 of equipment, office equipment, printing and binding, and
24 marketing, that shall be applied equitably to the programs
25 under this section.

26 Sec. 19. 2011 Iowa Acts, chapter 129, section 127, is
27 amended to read as follows:

28 SEC. 127. JUVENILE INSTITUTIONS. There is appropriated
29 from the general fund of the state to the department of human
30 services for the fiscal year beginning July 1, 2012, and ending
31 June 30, 2013, the following amounts, or so much thereof as is
32 necessary, to be used for the purposes designated:

33 1. For operation of the Iowa juvenile home at Toledo and for
34 salaries, support, maintenance, and miscellaneous purposes, and
35 for not more than the following full-time equivalent positions:

LSB 5118YC (1) 84

-34-

pf/jp

34/65



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 24, 2012

H.F. _____

1 \$ 4,129,125
2 8,227,752
3 FTEs 114.00

4 The amount appropriated in this subsection reflects a
5 reduction in expenditures for office supplies, purchases of
6 equipment, office equipment, and printing and binding budgeted
7 for under this subsection.

8 2. For operation of the state training school at Eldora and
9 for salaries, support, maintenance, and miscellaneous purposes,
10 and for not more than the following full-time equivalent
11 positions:

12 \$ 5,319,338
13 10,577,832
14 FTEs 164.30

15 a. Of the funds appropriated in this subsection, ~~\$45,575~~
16 \$91,150 shall be used for distribution to licensed classroom
17 teachers at this and other institutions under the control of
18 the department of human services based upon the average student
19 yearly enrollment at each institution as determined by the
20 department.

21 b. The amount appropriated in this subsection reflects
22 a reduction in expenditures for office supplies, purchases
23 of equipment, office equipment, printing and binding, and
24 marketing budgeted for under this subsection.

25 3. A portion of the moneys appropriated in this section
26 shall be used by the state training school and by the Iowa
27 juvenile home for grants for adolescent pregnancy prevention
28 activities at the institutions in the fiscal year beginning
29 July 1, 2012.

30 Sec. 20. 2011 Iowa Acts, chapter 129, section 128, is
31 amended to read as follows:

32 SEC. 128. CHILD AND FAMILY SERVICES.

33 1. There is appropriated from the general fund of the
34 state to the department of human services for the fiscal year
35 beginning July 1, 2012, and ending June 30, 2013, the following

LSB 5118YC (1) 84

-35-

pf/jp

35/65



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 24, 2012

H.F. _____

1 amount, or so much thereof as is necessary, to be used for the
2 purpose designated:

3 For child and family services:

4 \$ ~~41,415,081~~
5 77,084,185

6 2. In order to address a reduction of \$5,200,000 from the
7 amount allocated under the appropriation made for the purposes
8 of this section in prior years for purposes of juvenile
9 delinquent graduated sanction services, up to ~~\$2,600,000~~
10 \$5,200,000 of the amount of federal temporary assistance
11 for needy families block grant funding appropriated in this
12 division of this Act for child and family services shall be
13 made available for purposes of juvenile delinquent graduated
14 sanction services.

15 3. The department may transfer funds appropriated in this
16 section as necessary to pay the nonfederal costs of services
17 reimbursed under the medical assistance program, state child
18 care assistance program, or the family investment program which
19 are provided to children who would otherwise receive services
20 paid under the appropriation in this section. The department
21 may transfer funds appropriated in this section to the
22 appropriations made in this division of this Act for general
23 administration and for field operations for resources necessary
24 to implement and operate the services funded in this section.

25 4. a. Of the funds appropriated in this section, up
26 to ~~\$15,084,564~~ \$30,169,129 is allocated as the statewide
27 expenditure target under section 232.143 for group foster care
28 maintenance and services. If the department projects that such
29 expenditures for the fiscal year will be less than the target
30 amount allocated in this lettered paragraph, the department may
31 reallocate the excess to provide additional funding for shelter
32 care or the child welfare emergency services addressed with the
33 allocation for shelter care.

34 b. If at any time after September 30, 2012, annualization
35 of a service area's current expenditures indicates a service

LSB 5118YC (1) 84

-36-

pf/jp

36/65



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 24, 2012

H.F. _____

1 area is at risk of exceeding its group foster care expenditure
2 target under section 232.143 by more than 5 percent, the
3 department and juvenile court services shall examine all
4 group foster care placements in that service area in order to
5 identify those which might be appropriate for termination.
6 In addition, any aftercare services believed to be needed
7 for the children whose placements may be terminated shall be
8 identified. The department and juvenile court services shall
9 initiate action to set dispositional review hearings for the
10 placements identified. In such a dispositional review hearing,
11 the juvenile court shall determine whether needed aftercare
12 services are available and whether termination of the placement
13 is in the best interest of the child and the community.

14 5. In accordance with the provisions of section 232.188,
15 the department shall continue the child welfare and juvenile
16 justice funding initiative during fiscal year 2012-2013. Of
17 the funds appropriated in this section, ~~\$858,876~~ \$1,717,753
18 is allocated specifically for expenditure for fiscal year
19 2012-2013 through the decategorization service funding pools
20 and governance boards established pursuant to section 232.188.

21 6. A portion of the funds appropriated in this section
22 may be used for emergency family assistance to provide other
23 resources required for a family participating in a family
24 preservation or reunification project or successor project to
25 stay together or to be reunified.

26 7. Notwithstanding section 234.35 or any other provision
27 of law to the contrary, state funding for shelter care and
28 the child welfare emergency services contracting implemented
29 to provide for or prevent the need for shelter care shall be
30 limited to ~~\$3,585,058~~ \$6,470,116. The department may continue
31 or execute contracts that result from the department's request
32 for proposal, bid number ACF5-11-114, to provide the range of
33 child welfare emergency services described in the request for
34 proposals, and any subsequent amendments to the request for
35 proposals.

LSB 5118YC (1) 84

-37-

pf/jp

37/65



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 24, 2012

H.F. _____

1 8. Federal funds received by the state during the fiscal
2 year beginning July 1, 2012, as the result of the expenditure
3 of state funds appropriated during a previous state fiscal
4 year for a service or activity funded under this section are
5 appropriated to the department to be used as additional funding
6 for services and purposes provided for under this section.
7 Notwithstanding section 8.33, moneys received in accordance
8 with this subsection that remain unencumbered or unobligated at
9 the close of the fiscal year shall not revert to any fund but
10 shall remain available for the purposes designated until the
11 close of the succeeding fiscal year.

12 9. Of the funds appropriated in this section, at least
13 ~~\$1,848,142~~ \$3,696,285 shall be used for protective child care
14 assistance.

15 10. a. Of the funds appropriated in this section, up to
16 ~~\$1,031,244~~ \$1,900,000 is allocated for the payment of the
17 expenses of court-ordered services provided to juveniles who
18 are under the supervision of juvenile court services, which
19 expenses are a charge upon the state pursuant to section
20 232.141, subsection 4. Of the amount allocated in this
21 lettered paragraph, up to ~~\$778,143~~ \$1,556,287 shall be made
22 available to provide school-based supervision of children
23 adjudicated under chapter 232, of which not more than ~~\$7,500~~
24 \$15,000 may be used for the purpose of training. A portion of
25 the cost of each school-based liaison officer shall be paid by
26 the school district or other funding source as approved by the
27 chief juvenile court officer.

28 b. Of the funds appropriated in this section, up to ~~\$374,492~~
29 \$748,985 is allocated for the payment of the expenses of
30 court-ordered services provided to children who are under the
31 supervision of the department, which expenses are a charge upon
32 the state pursuant to section 232.141, subsection 4.

33 c. Notwithstanding section 232.141 or any other provision
34 of law to the contrary, the amounts allocated in this
35 subsection shall be distributed to the judicial districts

LSB 5118YC (1) 84

-38-

pf/jp

38/65



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 24, 2012

H.F. _____

1 as determined by the state court administrator and to the
2 department's service areas as determined by the administrator
3 of the department's division of child and family services. The
4 state court administrator and the division administrator shall
5 make the determination of the distribution amounts on or before
6 June 15, 2012.

7 d. Notwithstanding chapter 232 or any other provision of
8 law to the contrary, a district or juvenile court shall not
9 order any service which is a charge upon the state pursuant
10 to section 232.141 if there are insufficient court-ordered
11 services funds available in the district court or departmental
12 service area distribution amounts to pay for the service. The
13 chief juvenile court officer and the departmental service area
14 manager shall encourage use of the funds allocated in this
15 subsection such that there are sufficient funds to pay for
16 all court-related services during the entire year. The chief
17 juvenile court officers and departmental service area managers
18 shall attempt to anticipate potential surpluses and shortfalls
19 in the distribution amounts and shall cooperatively request the
20 state court administrator or division administrator to transfer
21 funds between the judicial districts' or departmental service
22 areas' distribution amounts as prudent.

23 e. Notwithstanding any provision of law to the contrary,
24 a district or juvenile court shall not order a county to pay
25 for any service provided to a juvenile pursuant to an order
26 entered under chapter 232 which is a charge upon the state
27 under section 232.141, subsection 4.

28 f. Of the funds allocated in this subsection, not more
29 than ~~\$41,500~~ \$83,000 may be used by the judicial branch for
30 administration of the requirements under this subsection.

31 g. Of the funds allocated in this subsection, ~~\$8,500~~ \$17,000
32 shall be used by the department of human services to support
33 the interstate commission for juveniles in accordance with
34 the interstate compact for juveniles as provided in section
35 232.173.



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 24, 2012

H.F. _____

1 11. Of the funds appropriated in this section, ~~\$2,961,301~~
2 \$5,922,602 is allocated for juvenile delinquent graduated
3 sanctions services. Any state funds saved as a result of
4 efforts by juvenile court services to earn federal Tit. IV-E
5 match for juvenile court services administration may be used
6 for the juvenile delinquent graduated sanctions services.

7 12. Of the funds appropriated in this section, ~~\$494,142~~
8 \$988,285 shall be transferred to the department of public
9 health to be used for the child protection center grant program
10 in accordance with section 135.118.

11 13. If the department receives federal approval to
12 implement a waiver under Tit. IV-E of the federal Social
13 Security Act to enable providers to serve children who remain
14 in the children's families and communities, for purposes of
15 eligibility under the medical assistance program, children who
16 participate in the waiver shall be considered to be placed in
17 foster care.

18 14. Of the funds appropriated in this section, ~~\$1,534,916~~
19 \$3,069,832 is allocated for the preparation for adult living
20 program pursuant to section 234.46.

21 15. Of the funds appropriated in this section, ~~\$260,075~~
22 \$520,150 shall be used for juvenile drug courts. The amount
23 allocated in this subsection shall be distributed as follows:

24 To the judicial branch for salaries to assist with the
25 operation of juvenile drug court programs operated in the
26 following jurisdictions:

27 a. Marshall county:

28 \$ 31,354
29 62,708

30 b. Woodbury county:

31 \$ 62,841
32 125,682

33 c. Polk county:

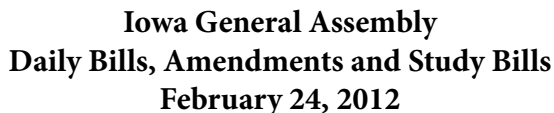
34 \$ 97,946
35 195,892

LSB 5118YC (1) 84

-40-

pf/jp

40/65



1 d. The third judicial district:
2 \$ 33,967
3 67,934
4 e. The eighth judicial district:
5 \$ 33,967
6 67,934
7 16. Of the funds appropriated in this section, ~~\$113,668~~
8 \$227,337 shall be used for the public purpose of providing a
9 grant to a nonprofit human services organization providing
10 services to individuals and families in multiple locations in
11 southwest Iowa and Nebraska for support of a project providing
12 immediate, sensitive support and forensic interviews, medical
13 exams, needs assessments, and referrals for victims of child
14 abuse and their nonoffending family members.
15 17. Of the funds appropriated in this section, ~~\$62,795~~
16 \$125,590 is allocated for the ~~elevate~~ foster care youth council
17 approach of providing a support network to children placed in
18 foster care.
19 18. Of the funds appropriated in this section, ~~\$101,000~~
20 \$202,000 is allocated for use pursuant to section 235A.1 for
21 continuation of the initiative to address child sexual abuse
22 implemented pursuant to 2007 Iowa Acts, chapter 218, section
23 18, subsection 21.
24 19. Of the funds appropriated in this section, ~~\$315,120~~
25 \$630,240 is allocated for the community partnership for child
26 protection sites.
27 20. Of the funds appropriated in this section, ~~\$185,625~~
28 \$371,250 is allocated for the department's minority youth and
29 family projects under the redesign of the child welfare system.
30 21. Of the funds appropriated in this section, ~~\$600,247~~
31 \$1,200,495 is allocated for funding of the state match for
32 the federal substance abuse and mental health services
33 administration (SAMHSA) system of care grant.
34 22. Of the funds appropriated in this section, at least
35 ~~\$73,579~~ \$147,158 shall be used for the child welfare training



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 24, 2012

H.F. _____

1 academy.

2 23. Of the funds appropriated in this section, ~~\$12,500~~
3 \$25,000 shall be used for the public purpose of continuation
4 of a grant to a child welfare services provider headquartered
5 in a county with a population between 205,000 and 215,000 in
6 the latest certified federal census that provides multiple
7 services including but not limited to a psychiatric medical
8 institution for children, shelter, residential treatment, after
9 school programs, school-based programming, and an Asperger's
10 syndrome program, to be used for support services for children
11 with autism spectrum disorder and their families.

12 24. Of the funds appropriated in this section ~~\$125,000~~
13 \$250,000 shall be used for continuation of the central Iowa
14 system of care program grant through June 30, 2013.

15 25. Of the funds appropriated in this section, ~~\$80,000~~
16 \$160,000 shall be used for the public purpose of the
17 continuation of a system of care grant implemented in Cerro
18 Gordo and Linn counties in accordance with this Act in FY
19 2011-2012.

20 26. The amount appropriated in this section reflects a
21 reduction in expenditures for office supplies, purchases
22 of equipment, office equipment, printing and binding, and
23 marketing, that shall be applied equitably to the programs
24 under this subsection.

25 Sec. 21. 2011 Iowa Acts, chapter 129, is amended by adding
26 the following new section:

27 NEW SECTION. SEC. 128A. CHILDREN AND YOUTH PROGRAMS. There
28 is appropriated from the general fund of the state to the
29 department of human services for the fiscal year beginning July
30 1, 2011, and ending June 30, 2012, the following amounts, or
31 so much thereof as is necessary, to be used for the purposes
32 designated:

33 1. For the community circle of care collaboration for
34 children and youth in northeast Iowa, formerly known as the
35 federal substance abuse and mental health administration

LSB 5118YC (1) 84

-42-

pf/jp

42/65



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 24, 2012

H.F. _____

1 (SAMHSA) system of care grant:
2 \$ 236,100
3 2. For the central Iowa system of care program grant for
4 children and youth:
5 \$ 77,947
6 Sec. 22. 2011 Iowa Acts, chapter 129, section 129, is
7 amended to read as follows:
8 SEC. 129. ADOPTION SUBSIDY.
9 1. There is appropriated from the general fund of the
10 state to the department of human services for the fiscal year
11 beginning July 1, 2012, and ending June 30, 2013, the following
12 amount, or so much thereof as is necessary, to be used for the
13 purpose designated:
14 For adoption subsidy payments and services:
15 \$ ~~16,633,295~~
16 33,080,597
17 2. The department may transfer funds appropriated in
18 this section to the appropriation made in this division of
19 this Act for general administration for costs paid from the
20 appropriation relating to adoption subsidy.
21 3. Federal funds received by the state during the
22 fiscal year beginning July 1, 2012, as the result of the
23 expenditure of state funds during a previous state fiscal
24 year for a service or activity funded under this section are
25 appropriated to the department to be used as additional funding
26 for the services and activities funded under this section.
27 Notwithstanding section 8.33, moneys received in accordance
28 with this subsection that remain unencumbered or unobligated
29 at the close of the fiscal year shall not revert to any fund
30 but shall remain available for expenditure for the purposes
31 designated until the close of the succeeding fiscal year.
32 Sec. 23. 2011 Iowa Acts, chapter 129, section 130, is
33 amended to read as follows:
34 SEC. 130. JUVENILE DETENTION HOME FUND. Moneys deposited
35 in the juvenile detention home fund created in section 232.142

LSB 5118YC (1) 84

-43-

pf/jp

43/65



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 24, 2012

H.F. _____

1 during the fiscal year beginning July 1, 2012, and ending June
2 30, 2013, are appropriated to the department of human services
3 for the fiscal year beginning July 1, 2012, and ending June 30,
4 2013, for distribution of an amount equal to a percentage of
5 the costs of the establishment, improvement, operation, and
6 maintenance of county or multicounty juvenile detention homes
7 in the fiscal year beginning July 1, 2011. Moneys appropriated
8 for distribution in accordance with this section shall be
9 allocated among eligible detention homes, prorated on the basis
10 of an eligible detention home's proportion of the costs of all
11 eligible detention homes in the fiscal year beginning July
12 1, 2011. The percentage figure shall be determined by the
13 department based on the amount available for distribution for
14 the fund. Notwithstanding section 232.142, subsection 3, the
15 financial aid payable by the state under that provision for the
16 fiscal year beginning July 1, 2012, shall be limited to the
17 amount appropriated for the purposes of this section.

18 Sec. 24. 2011 Iowa Acts, chapter 129, section 131, is
19 amended to read as follows:

20 SEC. 131. FAMILY SUPPORT SUBSIDY PROGRAM.

21 1. There is appropriated from the general fund of the
22 state to the department of human services for the fiscal year
23 beginning July 1, 2012, and ending June 30, 2013, the following
24 amount, or so much thereof as is necessary, to be used for the
25 purpose designated:

26 For the family support subsidy program subject to the
27 enrollment restrictions in section 225C.37, subsection 3:

28	\$ 583,999
29	<u>1,096,784</u>

30 2. The department shall use at least ~~\$192,750~~ \$385,500
31 of the moneys appropriated in this section for the family
32 support center component of the comprehensive family support
33 program under section 225C.47. Not more than ~~\$12,500~~ \$25,000
34 of the amount allocated in this subsection shall be used for
35 administrative costs.

LSB 5118YC (1) 84

-44-

pf/jp

44/65



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 24, 2012

H.F. _____

1 3. If at any time during the fiscal year, the amount of
2 funding available for the family support subsidy program
3 is reduced from the amount initially used to establish the
4 figure for the number of family members for whom a subsidy
5 is to be provided at any one time during the fiscal year,
6 notwithstanding section 225C.38, subsection 2, the department
7 shall revise the figure as necessary to conform to the amount
8 of funding available.

9 Sec. 25. 2011 Iowa Acts, chapter 129, section 132, is
10 amended to read as follows:

11 SEC. 132. CONNER DECREE. There is appropriated from the
12 general fund of the state to the department of human services
13 for the fiscal year beginning July 1, 2012, and ending June 30,
14 2013, the following amount, or so much thereof as is necessary,
15 to be used for the purpose designated:

16 For building community capacity through the coordination
17 and provision of training opportunities in accordance with the
18 consent decree of Conner v. Branstad, No. 4-86-CV-30871(S.D.
19 Iowa, July 14, 1994):

20	\$	16,811
21		<u>33,622</u>

22 Sec. 26. 2011 Iowa Acts, chapter 129, section 133, is
23 amended to read as follows:

24 SEC. 133. MENTAL HEALTH INSTITUTES. There is appropriated
25 from the general fund of the state to the department of human
26 services for the fiscal year beginning July 1, 2012, and ending
27 June 30, 2013, the following amounts, or so much thereof as is
28 necessary, to be used for the purposes designated:

29 1. For the state mental health institute at Cherokee for		
30 salaries, support, maintenance, and miscellaneous purposes, and		
31 for not more than the following full-time equivalent positions:		
32	\$	2,938,654
33		<u>5,403,188</u>
34	FTEs	168.50

35 The amount appropriated in this subsection reflects a

LSB 5118YC (1) 84

-45-

pf/jp

45/65



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 24, 2012

H.F. _____

1 reduction in expenditures for office supplies, purchases
2 of equipment, office equipment, printing and binding, and
3 marketing under the purview of the mental health institute.

4 2. For the state mental health institute at Clarinda for
5 salaries, support, maintenance, and miscellaneous purposes, and
6 for not more than the following full-time equivalent positions:

7 \$ ~~3,205,867~~
8 6,391,085
9 FTEs 86.10

10 The amount appropriated in this subsection reflects a
11 reduction in expenditures for office supplies, purchases
12 of equipment, office equipment, printing and binding, and
13 marketing under the purview of the mental health institute.

14 3. For the state mental health institute at Independence for
15 salaries, support, maintenance, and miscellaneous purposes, and
16 for not more than the following full-time equivalent positions:

17 \$ ~~5,137,842~~
18 9,609,993
19 FTEs 233.00

20 The amount appropriated in this subsection reflects a
21 reduction of \$65,692 in expenditures for office supplies,
22 purchases of equipment, office equipment, printing and
23 binding, and marketing, under the purview of the mental health
24 institute.

25 4. For the state mental health institute at Mount Pleasant
26 for salaries, support, maintenance, and miscellaneous purposes,
27 and for not more than the following full-time equivalent
28 positions:

29 \$ ~~472,161~~
30 885,459
31 FTEs 97.72

32 The amount appropriated in this subsection reflects a
33 reduction in expenditures for office supplies, purchases
34 of equipment, office equipment, printing and binding, and
35 marketing, under the purview of the mental health institute.

LSB 5118YC (1) 84

-46-

pf/jp

46/65



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 24, 2012

H.F. _____

1 Sec. 27. 2011 Iowa Acts, chapter 129, section 134, is
2 amended to read as follows:

3 SEC. 134. STATE RESOURCE CENTERS.

4 1. There is appropriated from the general fund of the
5 state to the department of human services for the fiscal year
6 beginning July 1, 2012, and ending June 30, 2013, the following
7 amounts, or so much thereof as is necessary, to be used for the
8 purposes designated:

9 a. For the state resource center at Glenwood for salaries,
10 support, maintenance, and miscellaneous purposes:

11 \$ 9,253,900
12 18,281,340

13 The amount appropriated in this paragraph "a" reflects
14 a reduction in expenditures for office supplies, purchases
15 of equipment, office equipment, printing and binding, and
16 marketing, under the purview of the resource center.

17 b. For the state resource center at Woodward for salaries,
18 support, maintenance, and miscellaneous purposes:

19 \$ 6,392,829
20 12,642,680

21 The amount appropriated in this paragraph "b" reflects
22 a reduction in expenditures for office supplies, purchases
23 of equipment, office equipment, printing and binding, and
24 marketing, under the purview of the resource center.

25 2. The department may continue to bill for state resource
26 center services utilizing a scope of services approach used for
27 private providers of ICFMR services, in a manner which does not
28 shift costs between the medical assistance program, counties,
29 or other sources of funding for the state resource centers.

30 3. The state resource centers may expand the time-limited
31 assessment and respite services during the fiscal year.

32 4. If the department's administration and the department
33 of management concur with a finding by a state resource
34 center's superintendent that projected revenues can reasonably
35 be expected to pay the salary and support costs for a new

LSB 5118YC (1) 84

-47-

pf/jp

47/65



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 24, 2012

H.F. _____

1 employee position, or that such costs for adding a particular
2 number of new positions for the fiscal year would be less
3 than the overtime costs if new positions would not be added,
4 the superintendent may add the new position or positions. If
5 the vacant positions available to a resource center do not
6 include the position classification desired to be filled, the
7 state resource center's superintendent may reclassify any
8 vacant position as necessary to fill the desired position. The
9 superintendents of the state resource centers may, by mutual
10 agreement, pool vacant positions and position classifications
11 during the course of the fiscal year in order to assist one
12 another in filling necessary positions.

13 5. If existing capacity limitations are reached in
14 operating units, a waiting list is in effect for a service or
15 a special need for which a payment source or other funding
16 is available for the service or to address the special need,
17 and facilities for the service or to address the special need
18 can be provided within the available payment source or other
19 funding, the superintendent of a state resource center may
20 authorize opening not more than two units or other facilities
21 and begin implementing the service or addressing the special
22 need during fiscal year 2012-2013.

23 Sec. 28. 2011 Iowa Acts, chapter 129, section 135, is
24 amended to read as follows:

25 SEC. 135. MI/MR/DD STATE CASES.

26 1. There is appropriated from the general fund of the
27 state to the department of human services for the fiscal year
28 beginning July 1, 2012, and ending June 30, 2013, the following
29 amount, or so much thereof as is necessary, to be used for the
30 purpose designated:

31 For distribution to counties for state case services
32 for persons with mental illness, mental retardation, and
33 developmental disabilities in accordance with section 331.440:
34 \$ ~~6,084,741~~
35 11,150,820

LSB 5118YC (1) 84

-48-

pf/jp

48/65



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 24, 2012

H.F. _____

1 2. For the fiscal year beginning July 1, 2012, and ending
2 June 30, 2013, ~~\$100,000~~ \$200,000 is allocated for state case
3 services from the amounts appropriated from the fund created
4 in section 8.41 to the department of human services from the
5 funds received from the federal government under 42 U.S.C. ch.
6 6A, subch. XVII, relating to the community mental health center
7 block grant, for the federal fiscal years beginning October
8 1, 2010, and ending September 30, 2011, beginning October 1,
9 2011, and ending September 30, 2012, and beginning October 1,
10 2012, and ending September 30, 2013. The allocation made in
11 this subsection shall be made prior to any other distribution
12 allocation of the appropriated federal funds.

13 3. Notwithstanding section 8.33, moneys appropriated in
14 this section that remain unencumbered or unobligated at the
15 close of the fiscal year shall not revert but shall remain
16 available for expenditure for the purposes designated until the
17 close of the succeeding fiscal year.

18 Sec. 29. 2011 Iowa Acts, chapter 129, section 137, is
19 amended to read as follows:

20 SEC. 137. SEXUALLY VIOLENT PREDATORS.

21 1. There is appropriated from the general fund of the
22 state to the department of human services for the fiscal year
23 beginning July 1, 2012, and ending June 30, 2013, the following
24 amount, or so much thereof as is necessary, to be used for the
25 purpose designated:

26 For costs associated with the commitment and treatment of
27 sexually violent predators in the unit located at the state
28 mental health institute at Cherokee, including costs of legal
29 services and other associated costs, including salaries,
30 support, maintenance, and miscellaneous purposes, and for not
31 more than the following full-time equivalent positions:
32 \$ 3,775,363
33 8,399,686
34 FTEs 89.50

35 The amount appropriated in this subsection reflects a

LSB 5118YC (1) 84

-49-

pf/jp

49/65



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 24, 2012

H.F. _____

1 reduction in expenditures for office supplies, purchases
2 of equipment, office equipment, printing and binding, and
3 marketing, under the purview of the unit.

4 2. Unless specifically prohibited by law, if the amount
5 charged provides for recoupment of at least the entire amount
6 of direct and indirect costs, the department of human services
7 may contract with other states to provide care and treatment
8 of persons placed by the other states at the unit for sexually
9 violent predators at Cherokee. The moneys received under
10 such a contract shall be considered to be repayment receipts
11 and used for the purposes of the appropriation made in this
12 section.

13 Sec. 30. 2011 Iowa Acts, chapter 129, section 138, is
14 amended to read as follows:

15 SEC. 138. FIELD OPERATIONS. There is appropriated from the
16 general fund of the state to the department of human services
17 for the fiscal year beginning July 1, 2012, and ending June 30,
18 2013, the following amount, or so much thereof as is necessary,
19 to be used for the purposes designated:

20 For field operations, including salaries, support,
21 maintenance, and miscellaneous purposes, and for not more than
22 the following full-time equivalent positions:
23 \$ 27,394,960
24 53,852,947
25 FTEs 1,781.00

26 Priority in filling full-time equivalent positions shall be
27 given to those positions related to child protection services
28 and eligibility determination for low-income families.

29 Notwithstanding section 8.33, moneys appropriated in this
30 section that remain unencumbered or unobligated at the close of
31 the fiscal year shall not revert but shall remain available for
32 expenditure for the purposes designated until the close of the
33 succeeding fiscal year.

34 The amount appropriated in this section reflects a reduction
35 in expenditures for office supplies, purchases of equipment,

LSB 5118YC (1) 84

-50-

pf/jp

50/65



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 24, 2012

H.F. _____

1 office equipment, printing and binding, and marketing, under
2 the purview of the department.

3 Sec. 31. 2011 Iowa Acts, chapter 129, section 140, is
4 amended to read as follows:

5 SEC. 140. VOLUNTEERS. There is appropriated from the
6 general fund of the state to the department of human services
7 for the fiscal year beginning July 1, 2012, and ending June 30,
8 2013, the following amount, or so much thereof as is necessary,
9 to be used for the purpose designated:

10 For development and coordination of volunteer services:

11	\$	42,330
12		<u>84,660</u>

13 PROVIDER REIMBURSEMENT — NURSING FACILITIES

14 Sec. 32. 2011 Iowa Acts, chapter 129, section 141,
15 subsection 1, paragraph a, subparagraph (1), is amended to read
16 as follows:

17 (1) For the fiscal year beginning July 1, 2012, the total
18 state funding amount for the nursing facility budget shall not
19 exceed ~~\$225,457,724~~ \$237,226,901.

20 PROVIDER REIMBURSEMENT — PHARMACY, PMIC, AND HCBS WAIVER

21 Sec. 33. 2011 Iowa Acts, chapter 129, subsection 1,
22 paragraphs b, i, and q, are amended to read as follows:

23 b. (1) For the fiscal year beginning July 1, 2012, the
24 department shall reimburse pharmacy dispensing fees using a
25 single rate of ~~\$4.34~~ \$11.10 per prescription or the pharmacy's
26 usual and customary fee, whichever is lower. ~~However,~~
27 ~~the department shall adjust the dispensing fee specified~~
28 ~~in this paragraph to distribute an additional \$2,981,980~~
29 ~~in reimbursements for pharmacy dispensing fees under this~~
30 ~~paragraph for the fiscal year.~~

31 (2) The department shall implement an average acquisition
32 cost reimbursement methodology for all drugs covered under the
33 medical assistance program. The methodology shall utilize a
34 survey of pharmacy invoices in determining the reimbursement.
35 Pharmacies and providers that are enrolled in the medical

LSB 5118YC (1) 84

-51-

pf/jp

51/65



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 24, 2012

H.F. _____

1 assistance program shall make available drug acquisition cost
2 information, product availability information, and other
3 information deemed necessary by the department to assist the
4 department in monitoring and revising reimbursement rates and
5 for efficient operation of the pharmacy benefit.

6 (a) A pharmacy or provider shall produce and submit the
7 requested information in the manner and format requested by the
8 department or its designee at no cost to the department or its
9 designee.

10 (b) A pharmacy or provider shall submit information to the
11 department or its designee within the time frame indicated
12 following receipt of a request for information unless the
13 department or its designee grants an extension upon written
14 request of the pharmacy or provider.

15 i. (1) For the fiscal year beginning July 1, 2012,
16 state-owned psychiatric medical institutions for children shall
17 receive cost-based reimbursement for 100 percent of the actual
18 and allowable costs for the provision of services to recipients
19 of medical assistance.

20 (2) For the nonstate-owned psychiatric medical institutions
21 for children, reimbursement rates shall be based on the
22 reimbursement methodology developed by the department as
23 required for federal compliance.

24 (3) As a condition of participation in the medical
25 assistance program, enrolled providers shall accept the medical
26 assistance reimbursement rate for any covered goods or services
27 provided to recipients of medical assistance who are children
28 under the custody of a psychiatric medical institution for
29 children.

30 q. For the fiscal year beginning July 1, 2012, the
31 department shall adjust the rates in effect on June 30, 2012,
32 reimbursement rate for providers of home and community-based
33 services waiver services to distribute an additional \$1,500,000
34 in reimbursements to such providers for the fiscal year shall
35 remain at the rate in effect on June 30, 2012.

LSB 5118YC (1) 84

-52-

pf/jp

52/65



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 24, 2012

H.F. _____

1 DIVISION V
2 PHARMACEUTICAL SETTLEMENT ACCOUNT,
3 IOWACARE ACCOUNT, NONPARTICIPATING PROVIDER
4 REIMBURSEMENT FUND, HEALTH CARE TRANSFORMATION ACCOUNT,
5 MEDICAID FRAUD FUND, QUALITY ASSURANCE TRUST FUND,
6 AND HOSPITAL HEALTH CARE ACCESS TRUST FUND
7 Sec. 34. 2011 Iowa Acts, chapter 129, section 145, is
8 amended to read as follows:
9 SEC. 145. PHARMACEUTICAL SETTLEMENT ACCOUNT. There is
10 appropriated from the pharmaceutical settlement account created
11 in section 249A.33 to the department of human services for the
12 fiscal year beginning July 1, 2012, and ending June 30, 2013,
13 the following amount, or so much thereof as is necessary, to be
14 used for the purpose designated:
15 Notwithstanding any provision of law to the contrary, to
16 supplement the appropriations made in this Act for medical
17 contracts under the medical assistance program for the fiscal
18 year beginning July 1, 2012, and ending June 30, 2013:
19 \$ 2,716,807
20 APPROPRIATIONS FROM IOWACARE ACCOUNT
21 Sec. 35. 2011 Iowa Acts, chapter 129, section 146,
22 subsections 2, 4, and 5, are amended to read as follows:
23 2. There is appropriated from the IowaCare account
24 created in section 249J.24 to the state board of regents for
25 distribution to the university of Iowa hospitals and clinics
26 for the fiscal year beginning July 1, 2012, and ending June 30,
27 2013, the following amount, or so much thereof as is necessary,
28 to be used for the purposes designated:
29 For salaries, support, maintenance, equipment, and
30 miscellaneous purposes, for the provision of medical and
31 surgical treatment of indigent patients, for provision of
32 services to members of the expansion population pursuant to
33 chapter 249J, and for medical education:
34 \$ 44,226,279
35 45,654,133

LSB 5118YC (1) 84
pf/jp

53/65



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 24, 2012

H.F. _____

1 Notwithstanding any provision of law to the contrary, the
2 amount appropriated in this subsection shall be distributed
3 based on claims submitted, adjudicated, and paid by the Iowa
4 Medicaid enterprise.

5 4. There is appropriated from the IowaCare account created
6 in section 249J.24 to the department of human services for the
7 fiscal year beginning July 1, 2012, and ending June 30, 2013,
8 the following amount, or so much thereof as is necessary, to be
9 used for the purposes designated:

10 For distribution to a publicly owned acute care teaching
11 hospital located in a county with a population over 350,000 for
12 the provision of medical and surgical treatment of indigent
13 patients, for provision of services to members of the expansion
14 population pursuant to chapter 249J, and for medical education:

15 \$ ~~65,000,000~~
16 69,000,000

17 a. Notwithstanding any provision of law to the contrary,
18 the amount appropriated in this subsection shall be distributed
19 based on claims submitted, adjudicated, and paid by the Iowa
20 Medicaid enterprise plus a monthly disproportionate share
21 hospital payment. Any amount appropriated in this subsection
22 in excess of \$60,000,000 shall be distributed only if the sum
23 of the expansion population claims adjudicated and paid by the
24 Iowa Medicaid enterprise plus the estimated disproportionate
25 share hospital payments exceeds \$60,000,000. The amount paid
26 in excess of \$60,000,000 shall not adjust the original monthly
27 payment amount but shall be distributed monthly based on actual
28 claims adjudicated and paid by the Iowa Medicaid enterprise
29 plus the estimated disproportionate share hospital amount. Any
30 amount appropriated in this subsection in excess of \$60,000,000
31 shall be allocated only if federal funds are available to match
32 the amount allocated. Pursuant to paragraph "b", of the amount
33 appropriated in this subsection, not more than \$4,000,000
34 shall be distributed for prescription drugs, and podiatry, and
35 optometric services.

LSB 5118YC (1) 84

-54-

pf/jp

54/65



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 24, 2012

H.F. _____

1 b. Notwithstanding any provision of law to the contrary, the
2 hospital identified in this subsection, shall be reimbursed for
3 outpatient prescription drugs and podiatry services provided to
4 members of the expansion population pursuant to all applicable
5 medical assistance program rules, in an amount not to exceed
6 \$4,000,000.

7 c. Notwithstanding the total amount of proceeds distributed
8 pursuant to section 249J.24, subsection 4, paragraph "a",
9 unnumbered paragraph 1, for the fiscal year beginning July
10 1, 2012, and ending June 30, 2013, the county treasurer of a
11 county with a population of over 350,000 in which a publicly
12 owned acute care teaching hospital is located shall distribute
13 the proceeds collected pursuant to section 347.7 in a total
14 amount of \$38,000,000, which would otherwise be distributed to
15 the county hospital, to the treasurer of state for deposit in
16 the IowaCare account.

17 d. (1) Notwithstanding the amount collected and
18 distributed for deposit in the IowaCare account pursuant to
19 section 249J.24, subsection 4, paragraph "a", subparagraph
20 (1), the first \$19,000,000 in proceeds collected pursuant to
21 section 347.7 between July 1, 2012, and December 31, 2012,
22 shall be distributed to the treasurer of state for deposit in
23 the IowaCare account and collections during this time period
24 in excess of \$19,000,000 shall be distributed to the acute
25 care teaching hospital identified in this subsection. Of the
26 collections in excess of the \$19,000,000 received by the acute
27 care teaching hospital under this subparagraph (1), \$2,000,000
28 shall be distributed by the acute care teaching hospital to the
29 treasurer of state for deposit in the IowaCare account in the
30 month of January 2013, following the July 1 through December
31 31, 2012, period.

32 (2) Notwithstanding the amount collected and distributed
33 for deposit in the IowaCare account pursuant to section
34 249J.24, subsection 4, paragraph "a", subparagraph (2),
35 the first \$19,000,000 in collections pursuant to section

LSB 5118YC (1) 84

-55-

pf/jp

55/65



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 24, 2012

H.F. _____

1 347.7 between January 1, 2013, and June 30, 2013, shall be
2 distributed to the treasurer of state for deposit in the
3 IowaCare account and collections during this time period in
4 excess of \$19,000,000 shall be distributed to the acute care
5 teaching hospital identified in this subsection. Of the
6 collections in excess of the \$19,000,000 received by the acute
7 care teaching hospital under this subparagraph (2), \$2,000,000
8 shall be distributed by the acute care teaching hospital to the
9 treasurer of state for deposit in the IowaCare account in the
10 month of July 2013, following the January 1 through June 30,
11 2013, period.

12 5. There is appropriated from the IowaCare account created
13 in section 249J.24 to the department of human services for the
14 fiscal year beginning July 1, 2012, and ending June 30, 2013,
15 the following amount, or so much thereof as is necessary to be
16 used for the purpose designated:

17 For payment to the regional provider network specified
18 by the department pursuant to section 249J.7 for provision
19 of covered services to members of the expansion population
20 pursuant to chapter 249J:

21 \$ ~~3,472,176~~
22 4,986,366

23 Notwithstanding any provision of law to the contrary, the
24 amount appropriated in this subsection shall be distributed
25 based on claims submitted, adjudicated, and paid by the Iowa
26 Medicaid enterprise. Once the entire amount appropriated in
27 this subsection has been distributed, claims shall continue to
28 be submitted and adjudicated by the Iowa Medicaid enterprise;
29 however, no payment shall be made based upon such claims.

30 Sec. 36. 2011 Iowa Acts, chapter 129, section 148, is
31 amended to read as follows:

32 SEC. 148. APPROPRIATIONS FROM ACCOUNT FOR HEALTH CARE
33 TRANSFORMATION — DEPARTMENT OF HUMAN SERVICES.

34 Notwithstanding any provision to the contrary, there is
35 appropriated from the account for health care transformation



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 24, 2012

H.F. _____

1 created in section 249J.23 to the department of human services
2 for the fiscal year beginning July 1, 2012, and ending June
3 30, 2013, the following amounts, or so much thereof as is
4 necessary, to be used for the purposes designated:
5 1. For the provision of an IowaCare nurse helpline for the
6 expansion population as provided in section 249J.6:
7 \$ 50,000
8 100,000
9 2. For other health promotion partnership activities
10 pursuant to section 249J.14:
11 \$ 300,000
12 3. For the costs related to audits, performance
13 evaluations, and studies required pursuant to chapter 249J:
14 \$ 62,500
15 125,000
16 4. For administrative costs associated with chapter 249J:
17 \$ 566,206
18 1,132,412
19 5. For planning and development, in cooperation with the
20 department of public health, of a phased-in program to provide
21 a dental home for children in accordance with section 249J.14:
22 \$ 500,000
23 1,000,000
24 6. For continuation of the establishment of the tuition
25 assistance for individuals serving individuals with
26 disabilities pilot program, as enacted in 2008 Iowa Acts,
27 chapter 1187, section 130:
28 \$ 25,000
29 50,000
30 7. For medical contracts:
31 \$ ~~1,000,000~~
32 2,400,000
33 8. For payment to the publicly owned acute care teaching
34 hospital located in a county with a population of over 350,000
35 that is a participating provider pursuant to chapter 249J:



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 24, 2012

H.F. _____

1 \$ 145,000
2 290,000
3 Disbursements under this subsection shall be made monthly.
4 The hospital shall submit a report following the close of the
5 fiscal year regarding use of the funds appropriated in this
6 subsection to the persons specified in this Act to receive
7 reports.
8 ~~9. For transfer to the department of public health to be~~
9 ~~used for the costs of medical home system advisory council~~
10 ~~established pursuant to section 135.159:~~
11 \$ 116,679
12 10. For continued implementation of a uniform cost report:
13 \$ 75,000
14 150,000
15 11. For continued implementation of an electronic medical
16 records system:
17 \$ 50,000
18 100,000
19 Notwithstanding section 8.33, funds allocated in this
20 subsection that remain unencumbered or unobligated at the close
21 of the fiscal year shall not revert but shall remain available
22 in succeeding fiscal years to be used for the purposes
23 designated.
24 ~~12. For transfer to the department of public health to~~
25 ~~support the department's activities relating to health and~~
26 ~~long-term care access as specified pursuant to chapter 135,~~
27 ~~division XXIV:~~
28 \$ 67,107
29 ~~13. For continuation of an accountable care organization~~
30 ~~pilot project:~~
31 \$ 50,000
32 15. For transfer to the department of public health to
33 be used as state matching funds for the health information
34 technology system developed by the department of public health:
35 \$ 181,993

LSB 5118YC (1) 84

-58-

pf/jp

58/65



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 24, 2012

H.F. _____

1 363,987
2 16. To supplement the appropriation for medical assistance:
3 \$ 1,956,245
4 Notwithstanding section 8.39, subsection 1, without the
5 prior written consent and approval of the governor and the
6 director of the department of management, the director of human
7 services may transfer funds among the appropriations made in
8 this section as necessary to carry out the purposes of the
9 account for health care transformation. The department shall
10 report any transfers made pursuant to this section to the
11 legislative services agency.
12 Sec. 37. 2011 Iowa Acts, chapter 129, section 151, is
13 amended to read as follows:
14 SEC. 151. QUALITY ASSURANCE TRUST FUND — DEPARTMENT OF
15 HUMAN SERVICES. Notwithstanding any provision to the contrary
16 and subject to the availability of funds, there is appropriated
17 from the quality assurance trust fund created in section
18 249L.4 to the department of human services for the fiscal year
19 beginning July 1, 2012, and ending June 30, 2013, the following
20 amounts, or so much thereof as is necessary for the purposes
21 designated:
22 To supplement the appropriation made in this Act from the
23 general fund of the state to the department of human services
24 for medical assistance:
25 \$ 29,000,000
26 26,500,000
27 Sec. 38. 2011 Iowa Acts, chapter 129, section 152, is
28 amended to read as follows:
29 SEC. 152. HOSPITAL HEALTH CARE ACCESS TRUST FUND —
30 DEPARTMENT OF HUMAN SERVICES. Notwithstanding any provision to
31 the contrary and subject to the availability of funds, there is
32 appropriated from the hospital health care access trust fund
33 created in section 249M.4 to the department of human services
34 for the fiscal year beginning July 1, 2012, and ending June
35 30, 2013, the following amounts, or so much thereof as is



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 24, 2012

H.F. _____

1 necessary, for the purposes designated:

2 1. To supplement the appropriation made in this Act from the
3 general fund of the state to the department of human services
4 for medical assistance:

5 \$ 39,223,800
6 33,898,400

7 2. For deposit in the nonparticipating provider
8 reimbursement fund created in section 249J.24A to be used for
9 the purposes of the fund:

10 \$ 776,200
11 801,600

12 Sec. 39. REPEAL. 2011 Iowa Acts, chapter 129, sections 149
13 and 150, are repealed.

14 DIVISION VI

15 CHILDREN'S HEALTH INSURANCE PROGRAM — CHILD ENROLLMENT
16 CONTINGENCY FUND

17 Sec. 40. CHILDREN'S HEALTH INSURANCE PROGRAM — CHILD
18 ENROLLMENT CONTINGENCY FUND — DIRECTIVES FOR USE OF FUNDS
19 — FY 2012-2013. Of the moneys received from the federal
20 government through the child enrollment contingency fund
21 established pursuant to section 103 of the federal Children's
22 Health Insurance Program Reauthorization Act of 2009, Pub. L.
23 No. 111-3, there is appropriated to the department of human
24 services for the fiscal year beginning July 1, 2012, and ending
25 June 30, 2013, the following amount to be used in addition to
26 any other amounts appropriated for the same purposes for the
27 fiscal year as follows:

28 For technical assistance for mental health redesign efforts:
29 \$ 500,000

30 DIVISION VII

31 MENTAL HEALTH AND DISABILITY SERVICES REDESIGN

32 Sec. 41. MENTAL HEALTH AND DISABILITY SERVICES REDESIGN.
33 There is appropriated from the general fund of the state to
34 the department of human services for the fiscal year beginning
35 July 1, 2012, and ending June 30, 2013, the following amount,

LSB 5118YC (1) 84

-60-

pf/jp

60/65



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 24, 2012

H.F. _____

1 or so much thereof as is necessary, to be used for the purposes
2 designated:

3 To be used as provided in additional enactments by the
4 Eighty-fourth General Assembly, 2012 Session, for redesign of
5 county-based adult mental health and disability services:
6 \$ 30,000,000

7 DIVISION VIII

8 PRIOR APPROPRIATIONS AND RELATED CHANGES

9 Sec. 42. 2011 Iowa Acts, chapter 129, section 3, subsection
10 2, is amended by adding the following new paragraph:

11 NEW PARAGRAPH. e. The funds appropriated in this subsection
12 to the Iowa veterans home that remain available for expenditure
13 for the succeeding fiscal year pursuant to section 35D.18,
14 subsection 5, shall be distributed to be used in the succeeding
15 fiscal year in accordance with this lettered paragraph. The
16 first \$500,000 shall remain available to be used for the
17 purposes of the Iowa veterans home. On or before October 15,
18 2012, the department of management shall transfer the remaining
19 balance to the appropriation for the fiscal year from the
20 general fund of the state to the department of human services
21 for medical assistance.

22 Sec. 43. EFFECTIVE UPON ENACTMENT. This division of this
23 Act, being deemed of immediate importance, takes effect upon
24 enactment.

25 DIVISION IX

26 MISCELLANEOUS

27 Sec. 44. Section 97B.39, Code 2011, is amended to read as
28 follows:

29 **97B.39 Rights not transferable or subject to legal process**
30 **— exceptions.**

31 The right of any person to any future payment under this
32 chapter is not transferable or assignable, at law or in
33 equity, and the moneys paid or payable or rights existing
34 under this chapter are not subject to execution, levy,
35 attachment, garnishment, or other legal process, or to the

LSB 5118YC (1) 84

-61-

pf/jp

61/65



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 24, 2012

H.F. _____

1 operation of any bankruptcy or insolvency law except for the
2 purposes of enforcing child, spousal, or medical support
3 obligations or marital property orders, or for recovery of
4 medical assistance payments pursuant to section 249A.5. For
5 the purposes of enforcing child, spousal, or medical support
6 obligations, the garnishment or attachment of or the execution
7 against compensation due a person under this chapter shall
8 not exceed the amount specified in 15 U.S.C. § 1673(b).
9 The system shall comply with the provisions of a marital
10 property order requiring the selection of a particular benefit
11 option, designated beneficiary, or contingent annuitant if
12 the selection is otherwise authorized by this chapter and
13 the member has not received payment of the member's first
14 retirement allowance. However, a marital property order shall
15 not require the payment of benefits to an alternative payee
16 prior to the member's retirement, prior to the date the member
17 elects to receive a lump sum distribution of accumulated
18 contributions pursuant to section 97B.53, or in an amount that
19 exceeds the benefits the member would otherwise be eligible to
20 receive pursuant to this chapter.

21 Sec. 45. CIVIL MONETARY PENALTIES — DIRECT CARE WORKERS
22 TASK FORCE. Of the funds received by the department of human
23 services through federal civil monetary penalties from nursing
24 facilities, during the fiscal year beginning July 1, 2012, and
25 ending June 30, 2013, \$149,000 shall be used for continued
26 implementation of the recommendations of the direct care worker
27 task force established pursuant to 2005 Iowa Acts, chapter 88,
28 based upon the report submitted to the governor and the general
29 assembly in December 2006.

30 EXPLANATION

31 This bill relates to appropriations for health and human
32 services for fiscal year 2012-2013 to the department of
33 veterans affairs, the Iowa veterans home, the department on
34 aging, the department of public health, Iowa finance authority,
35 state board of regents, department of inspections and appeals,

LSB 5118YC (1) 84

-62-

pf/jp

62/65



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 24, 2012

H.F. _____

1 and the department of human services. The appropriations were
2 previously enacted in 2011 Iowa Acts, chapter 129 (H.F. 649).
3 The bill is organized into divisions.

4 DEPARTMENT ON AGING. This division amends appropriations
5 made from the general fund of the state for the department on
6 aging.

7 DEPARTMENT OF PUBLIC HEALTH. This division amends
8 appropriations made from the general fund of the state for the
9 department of public health.

10 DEPARTMENT OF VETERANS AFFAIRS. This division amends
11 appropriations made from the general fund of the state for the
12 department of veterans affairs.

13 DEPARTMENT OF HUMAN SERVICES. This division amends
14 appropriations made from the general fund of the state and the
15 federal temporary assistance for needy families block grant to
16 the department of human services (DHS). The allocation for the
17 family development and self-sufficiency grant program is made
18 directly to the department of human rights.

19 Appropriations are made from the health care trust fund for
20 the medical assistance (Medicaid) program in addition to the
21 general fund appropriations made for this purpose.

22 The reimbursement section addresses reimbursement for
23 providers reimbursed by the department of human services.

24 PHARMACEUTICAL SETTLEMENT ACCOUNT, IOWACARE ACCOUNT,
25 NONPARTICIPATING PROVIDER REIMBURSEMENT FUND, HEALTH CARE
26 TRANSFORMATION ACCOUNT, MEDICAID FRAUD FUND, QUALITY ASSURANCE
27 TRUST FUND, AND HOSPITAL HEALTH CARE ACCESS TRUST FUND. This
28 division amends appropriations made for fiscal year 2012-2013.

29 The appropriation from the pharmaceutical settlement account
30 to the department of human services supplements the Medicaid
31 program medical contracts appropriation.

32 The appropriations from the IowaCare account are made to
33 the state board of regents for distribution to the university
34 of Iowa hospitals and clinics and to the department of human
35 services for distribution to a publicly owned acute care

LSB 5118YC (1) 84

-63-

pf/jp

63/65



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 24, 2012

H.F. _____

1 teaching hospital in a county with a population over 350,000
2 related to the IowaCare program and indigent care.

3 The appropriation from the nonparticipating provider
4 reimbursement fund is made to the department of human services
5 to reimburse nonparticipating providers under the IowaCare
6 program.

7 The appropriations to the department of human services from
8 the account for health care transformation are directed to
9 various health care reform initiatives.

10 The appropriations from the Medicaid fraud fund made to the
11 department of inspections and appeals for costs relating to
12 assisted living programs and adult day care services and to the
13 department of human services for the Medicaid program in 2011
14 Iowa Acts, chapter 129, sections 149 and 150, are repealed.

15 The appropriations made to supplement the Medicaid program
16 are from the following funds and account: quality assurance
17 trust fund and hospital health care access trust fund.

18 The division provides that if the total amounts appropriated
19 from all sources for the medical assistance program for fiscal
20 year 2012-2013 exceed the amount needed, the excess remains
21 available to be used for the program in the succeeding fiscal
22 year.

23 CHILDREN'S HEALTH INSURANCE PROGRAM — CHILD ENROLLMENT
24 CONTINGENCY FUND. This division appropriates funds from
25 moneys received from the federal government through the child
26 enrollment contingency fund to the department of human services
27 to be used for technical assistance for mental health redesign
28 efforts.

29 MENTAL HEALTH AND DISABILITY SERVICES REDESIGN. This
30 division makes an appropriation from the general fund of the
31 state to the department of human services for FY 2012-2013
32 to be used as provided in additional enactments made by the
33 general assembly for redesign of county-based adult mental
34 health and disability services.

35 PRIOR APPROPRIATIONS AND RELATED CHANGES. This division

LSB 5118YC (1) 84

-64-

pf/jp

64/65



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 24, 2012

H.F. _____

1 amends previously enacted appropriations related-provisions.

2 This division takes effect upon enactment.

3 MISCELLANEOUS. This division amends Code section 97B.39,
4 relating to Iowa public employees' retirement system (IPERS)
5 payments, to include recovery of Medicaid program payments
6 related to estate recovery in the list of exceptions that
7 allows IPERS payments to be subject to execution, levy,
8 attachment, garnishment, or other legal process, or to the
9 operation of bankruptcy or insolvency law.

10 The division also provides that a portion of the funds
11 received by the department of human services through federal
12 civil monetary penalties from nursing facilities is to be used
13 for continued implementation of the direct care worker task
14 force.